



RIFT VALLEY INSTITUTE | USALAMA PROJECT
GOVERNANCE IN CONFLICT
POLITICAL SETTLEMENTS RESEARCH PROGRAMME

STABLE INSTABILITY

POLITICAL SETTLEMENTS AND
ARMED GROUPS IN THE CONGO

RIFT VALLEY INSTITUTE
USALAMA PROJECT: GOVERNANCE IN CONFLICT

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Stable Instability

Political settlements and armed groups in the Congo

JUDITH VERWEIJEN



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THE USALAMA PROJECT

The RVI Usalama Project is a field-based, partner-driven research initiative examining armed groups and their influence on society in the Democratic Republic of the Congo.

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THE AUTHOR

Judith Verweijen is a Postdoctoral Research Fellow at the Conflict Research Group at Ghent University, Belgium. She is the Lead Researcher of the 'Usalama Project: Governance in Conflict'.

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RVI PROGRAMME MANAGER, PUBLICATIONS: Tymon Kiepe

RVI PROGRAMME OFFICER, COMMUNICATIONS: Connor Clerke

EDITOR: Kate McGuinness

DESIGN: Lindsay Nash

MAPS: Jillian Luff, *MAPgrafix*

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COVER: MONUC and Congolese government representatives in a meeting with FNI leader Peter Karim (right, back to camera) and his delegation to negotiate their integration into the national armed forces.

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Map. The eastern DRC showing the provinces of Ituri, North Kivu and South Kivu

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Preface: The Usalama Project

The eastern Democratic Republic of the Congo (DRC) has been mired in violence for two decades and continues to be plagued by dozens of armed groups. Yet, these groups—and how they interact with their social and political environment—remain poorly understood. The Rift Valley Institute's Usalama Project (*Usalama* means 'safety' or 'security' in Swahili) is a field-based, partner-driven research initiative that aims to examine armed groups and their influence on Congolese society.

While the first phase of the Usalama Project (2012–2013) focused on understanding armed groups, the second phase (2015–2016) investigates governance in conflict. It is guided by a series of questions: How do armed actors affect conflicts related to public authority? How, in turn, do local authorities shape patterns of armed group organization? And what are the effects of armed group presence on governance and service provision? The research also examines government policies and external interventions aimed at reducing armed group activity and improving the quality of local governance and conflict resolution.

The project takes a primarily qualitative approach, drawing on extensive fieldwork by both international and Congolese researchers. It traces the trajectories of armed groups and analyses the contexts in which they operate by means of interviews with a wide range of actors—including local authorities, representatives of civil society, small and large-scale business interests and members of armed groups. It also draws upon available historical and administrative sources, reports and scholarly work by Congolese and international researchers and organizations.

The Governance in Conflict phase of the Usalama Project is part of the Political Settlements Research Programme (PSRP), led by the University of Edinburgh's Global Justice Academy and funded by the UK Department for International Development (DFID).

Summary

The long-term presence of armed groups in the eastern Congo, which dates back to the mid-1990s and in some areas even before this, has turned these groups into an integral part of local political settlements. The resulting instability in the east has not precluded a relatively stable political settlement from emerging at the level of the Congo as a whole: The incumbent president, Joseph Kabila, has been in power on an uninterrupted basis since 2001.

This report examines the relations between the stability of the national political settlement and instability in the east, analysing the historical evolution and features of political settlements at both levels. In order to understand the current policies of the national government—dominated by the presidential patronage network—towards armed group activity in the east, it is necessary to identify the political, socio-economic and military-strategic stakes that this activity presents to the incumbent president and his wider networks.

Following historical patterns that originate in the colonial era, the presidential patronage network concentrates its efforts to exercise direct control on areas of vital political and economic importance, which are primarily the capital city and industrial extractive enclaves in the former province of Katanga. Consequently, it has limited incentives to address small-scale armed groups located in isolated rural areas in the east, especially when they lack military strength and geopolitical significance. Moreover, ongoing violent conflict provides indirect benefits in the form of patronage resources, including those generated via military operations and influxes of international aid.

Due to the profound fragmentation of the military landscape and reduced foreign interference in recent years, the vast majority of the dozens of non-state armed forces currently operating in the east are smaller-sized groups. This is both a cause and an outcome of the diminishing significance of armed groups in the national political arena. During the transitional period (2003–2006) that followed the Second Congo

War, when the ex-belligerents committed to a power-sharing agreement, manipulating armed groups remained a valued political currency. It often allowed for pushing through political claims and gave access to important positions in the political-administrative apparatus and the security forces.

In the post-transitional political settlement, by contrast, leveraging armed groups has yielded decreasing benefits in national politics. Until recently, however, harnessing armed mobilization did continue to give access to ranks and positions in the national armed forces. One reason for the decreasing political value of armed mobilization at the national level is that the presidential patronage network has reinforced its grip on the state apparatus and society. It has done so through a mixture of co-optation, coercion and international support, and as a consequence, it is better able to address armed and other challenges to its authority. The result is rising authoritarian tendencies and a less inclusive political settlement, as reflected in growing restrictions on and harassment of political actors deemed dangerous, including but not limited to members of the political opposition.

The more exclusive and repressive nature of the national political settlement has affected armed mobilization in the east. Armed groups are embedded in complex social networks that stretch from the very local to the national, sub-regional and international levels, and that encompass both state and non-state actors. These groups maintain ties of a varying nature to politicians, businesspeople, local authorities and government security forces, sometimes operating as proxies or allies in military operations. Many of these relations can be characterized as protection mechanisms, with both coercive and non-coercive dimensions. On the one hand, armed groups impose contributions on populations and economic operators in the framework of protection rackets, but also as part of wider governance mechanisms and claims to authority. On the other hand, people may solicit protection and other interventions from these groups at their own initiative, such as to reinforce their position in a conflict or to protect their merchandise in unsafe areas. When it concerns local authorities, protection from armed groups is also sought

to enforce administrative decisions and obtain the upper hand in power struggles.

Malfunctioning civilian governance mechanisms and weak state security provision drive the demand for protection from armed groups. This demand also stems from the fact that when not soliciting protection, people are in a less favourable position compared to those competitors and opponents who do have powerful protectors. Additionally, protection mechanisms have, to a certain extent, become a normal practice that is applied by relatively large segments of the political and economic establishment in the east. Evidence for this normalization is that armed groups are increasingly led by lower-level political-military entrepreneurs—customary chiefs, local authorities and second-tier army commanders—and not, as in the past, primarily by national and regional elites.

The lower-level political-military entrepreneurs sustaining armed mobilization are in part inspired by discontent with the current political settlement, both in relation to their own position within that settlement and the nature of the social-political order as a whole. Many armed groups do voice anti-establishment views even while lacking comprehensive political visions and objectives. Hence, contrary to popular portrayals of armed groups as purely criminal, armed mobilization continues to have a clear political dimension. This also explains why some armed groups draw a relatively high level of popular support: People are fed up with the current regime and endorse the idea of self-defence due to the deficiencies of the state apparatus, especially in a context of intense communal conflict.

The fact that armed mobilization has a political dimension does not necessarily imply that armed groups should be treated as legitimate political actors. These groups cannot simply be taken as representatives of the communities they claim to defend. Many of their political demands are difficult to meet because they are discriminatory in nature. Other demands relate to access to the state apparatus, such as high administrative positions, and improved public service provision, for instance roads and health care centres. Responding to such demands risks creating

incentives for others to emulate and initiate armed mobilization to claim similar benefits.

In this vein, many past government policies to tackle armed groups—notably army integration—have had counterproductive effects, as they created skewed incentive structures. Any efforts to address political-military entrepreneurs should avoid repeating this and instead seek to apply carrots and sticks in equal measure. It is also necessary to find the right equilibrium between addressing the structural dynamics that feed into armed mobilization and dealing with currently active armed groups. This dilemma of a long-term versus a short-term orientation also applies to the question of inclusion. In order to promote sustainable stabilization in the eastern Congo, it will be necessary to empower peaceful civilian actors and include them in decision-making processes in order to reach a more inclusive political settlement at the national level. Achieving these long-term objectives will prove a challenge in the current situation of stable instability.

1. Introduction

After more than two decades of ongoing violent conflict, armed groups—however fleeting their existence—have become an integral feature of the eastern Congo’s social-political order. They are not a temporary aberration in what is otherwise a normal society. They are at the heart of the way power is exercised and experienced. Moreover, armed groups do not stand apart from either society or the state apparatus. They are deeply embedded in social networks that regroup state and non-state actors and that stretch from the very local to the national and sometimes the sub-regional (Great Lakes area) and international levels.

Grasping this complexity requires a break from a binary approach to understanding political order, in particular the dichotomies between state versus non-state spheres and civilian versus military agents. Militarized networks in the eastern Congo straddle these categories. For example, officers of government security forces and local administrators may have ties to armed groups: Politicians too can initiate and direct armed movements.

While of crucial importance in the east, at the national level, armed groups play a highly varied role in the power strategies of individual politicians and their wider political networks. Key figures in the political establishment have few dealings with such groups. Nevertheless, the power configuration encapsulated by these national networks, and which constitutes the political settlement, shapes armed group activity in the east in important ways, including via formal and informal policies to deal with these groups.

The notion of political settlement is used by a growing number of practitioners, policymakers and academics as a lens to analyse power structures and dynamics within societies, and to inform policy

interventions.¹ In this report, the term ‘political settlement’ is seen to relate to how power is configured within a social-political order that is: How access to resources that generate power (political, military, economic and ideological)² is distributed between and among dominant actors and those being dominated, and how this distribution is perceived and legitimated.

The application of political settlement theory focuses on three broad areas: Stability, inclusivity and the extent to which changes in the political settlement are violent. The stability of political settlements depends on whether (aspiring) elites—and to a lesser extent, those being dominated—consider the current settlement to serve their interests and to conform to their worldviews and beliefs. Stability also depends on the possibilities for and efforts of aspirants to insert themselves among the dominant actors. How non-elites perceive a particular settlement depends in part on its inclusivity, or to what extent those who are other than elite actors are able to shape arrangements of power and governance. Where non-elite actors can exercise a measure of influence, the chances are higher that a settlement will remain stable in the long term. What is also important for stability is how political settlements transform, and notably, to what degree changes to them involve violence. This, again, is related to both the opportunities for the exercise of violence and the extent to which employing violence is seen as legitimate.

Thinking in terms of political settlements provides insights into the incentives of political actors, or what motivates their decisions and practices. This helps to understand when and why they support armed groups or resort to violence, or by contrast, strive towards reducing these

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1 Christine Bell, ‘What we talk about when we talk about political settlements. Towards inclusive and open political settlements in an era of disillusion’, PSRP Working Paper 1, Edinburgh: Global Justice Academy, University of Edinburgh, September 2015. For a critical analysis of the concept of political settlements, see: Kasper Hoffmann and Tom Kirk, ‘Public authority and the provision of public goods in conflict-affected and transitioning regions’, JSRP Working Paper 7, London School of Economics, August 2013.

2 See: Michael Mann, *The Sources of Social Power: Volume 1, A History of Power from the Beginning to AD 1760*, Cambridge: Cambridge University Press, 1986.

threats. Moreover, looking at how non-elite actors relate to armed groups, and how this relationship is shaped by the political settlement, fosters a better understanding of the links between stability and inclusivity, and therefore of the drivers of armed mobilization. In sum, political settlements analysis, in particular when focused on the role of armed groups, is important for developing policies aimed at stabilization, especially in relation to reducing armed group activity and violence.

This report analyses the stability, inclusivity and levels of violence of both the political settlement of the Congo as a whole and of political settlements in the conflict-ridden east. It shows that in each of these political arenas, armed groups and violence play a different role, and examines how these arenas mutually influence each other. The relative importance of armed groups as either resources or threats to the power of the presidential patronage network shapes its policies towards the east, such as initiatives for military operations or negotiations. These policies influence the role that armed groups play locally. This role, in turn, shapes to what extent and how national politicians engage with armed groups; for instance, whether they support their mobilization or demobilization.

2. The historical evolution of the Congo's political settlement

Understanding how power in the Congo is distributed and exercised is a challenging task, not least due to the number and heterogeneity of the political actors involved. The Congo counts hundreds of ethnic groups and languages, is composed of zones with distinct political-economic structures and regional orientations, has a vast number of political parties, and more importantly, contains numerous competing power networks. The military landscape in the eastern Congo is equally fragmented and diverse. At present, there are more than 70 armed groups operating in the Kivu provinces alone, and their numbers change from day to day.³ Paradoxically, the resulting instability in the east goes hand in hand with relative stability at the national level. One reason for this is that the national elites' power base does not critically depend on formal control over the east. Rather, they derive most of their income and influence from other parts of the country. This uneven control, which is directly related to levels of state penetration, originates in the colonial era, and has continued to shape the Congo's political settlement from independence onwards.⁴

From instability to stability and back (1960–1996)

The Congo's independence in 1960 starkly exposed the difficulties of forging a stable political settlement in a social-political order characterized by a multitude of heterogeneous interests linked to diverging agendas, visions and international partners. Between 1960–1967, the

3 Jason Stearns and Christoph Vogel, 'The landscape of armed groups in the eastern Congo', New York: Congo Research Group, Center on International Cooperation, December 2015.

4 Bogumil Jewswiecki, 'Zaire enters the world system: its colonial incorporation as the Belgian Congo, 1885–1960', in *Zaire: The Political Economy of Underdevelopment*, ed. Guy Gran, New York: Praeger, 1979.

country was faced with assassinations of key leaders, secession attempts, large-scale insurgencies and a coup d'état. This upheaval was partly driven by competition between social-political networks rooted in different regions of the country, often emerging from the first political parties that were formed on an ethno-regional basis before independence.⁵

The violent power struggles that marked the Congo's first years of independence gradually tapered off after a bloodless coup d'état in 1965. The man who seized power, Joseph-Désiré Mobutu—together with his inner circle and wider networks—fostered a political settlement that remained relatively stable for decades. Once he had built up a power base in the Congolese armed forces, of which he was also the chief of staff, and rallied crucial international support, Mobutu managed to consolidate his authority, in part via the recentralization of state power. To that end, he heavily invested in the expansion and centralization of the territorial administration and developed a firm grip on the state security services. He also created a political party, the *Mouvement populaire de la révolution* (MPR, Popular Movement of the Revolution), membership of which was obligatory for all citizens, and embarked upon a vast socialization programme in order to legitimize his rule.⁶

In continuity with the colonial era, state penetration remained highly uneven. State agencies and administrative, transport and communications infrastructure were clustered around core political and economic areas. These included the capital city, import–export routes and the industrial mining sector in the southern province of Katanga. This last sector was the Congo's economic powerhouse, yielding the largest share of the country's gross domestic product (GDP), tax revenues and foreign exchange; however, it stood in relative isolation from the rest of the economy. Industrial mining was heavily dependent on foreign investment and strongly oriented towards external markets. Growth in

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 5 Crawford Young, *Politics in Congo. Decolonization and Independence*, Princeton: Princeton University Press, 1965.

6 Thomas Callaghy, *The State-Society Struggle: Zaire in Comparative Perspective*, New York: Columbia University Press, 1984.

this sector did not necessarily yield benefits for the rural economy of small-scale agricultural production, which remained crucial for most Congolese's livelihood.⁷

The main benefit from the industrial mining sector accrued to the elites who formed part of the presidential patronage network. The latter dominated the government, the administration and the security services. These elites made use of their position in the state apparatus to generate resources for patronage and to engage in revenue-generating activities for their personal gain. Patronage and personalized networks increasingly influenced how the state worked, intersecting with formal bureaucratic hierarchies.⁸

In order to maintain a grip on the state apparatus, the presidential patronage network made appointments on the basis of loyalty rather than merit; frequently rotated office holders to prevent clients' establishing autonomous power bases (in extreme cases, through purges); encouraged their dependence by granting and withholding access to revenue-generating opportunities, including the private appropriation of public resources; and finally, created parallel institutions and agencies to further divide and rule.⁹

The result of Mobutu's personalization of rule was an ever narrowing power base concentrated around people who originated from his home region in Equateur Province. This development intensified from the early 1970s onwards as the economy contracted: The twin result of the world economic crisis in 1973 and a series of ill-conceived measures to expropriate foreign business owners and redistribute their assets among the dominant political-commercial class.¹⁰ As patronage resources

7 Guy Gran, 'An introduction to Zaire's permanent development crisis' and Ghifem J. Katwala, 'Export-led growth: the copper sector', in *Zaire: The Political Economy of Underdevelopment*, ed. Guy Gran, New York: Praeger, 1979.

8 Crawford Young and Thomas Turner, *The Rise and Decline of the Zairian State*, Madison: University of Wisconsin Press, 1985.

9 Jean-François Bayart, *L'État en Afrique. La politique du ventre*, 2nd edition, Paris: Fayard, 2006 [1989].

10 Young and Turner, *Rise and Decline*.

dwindled, the presidential power circle became increasingly difficult to penetrate. While the immediate post-independence period saw some social mobility—albeit heavily circumscribed—the political settlement now became increasingly exclusive.¹¹ The impact of political exclusion was not immediate, however, it did sow the seeds for future instability.

As resource flows from the top dried up, the control of the presidential patronage network over lower echelons of the state apparatus weakened. Here the result was the emergence of decentralized nodes of power and accumulation, which did not directly depend on the closed networks of presidential patronage.¹² A key development underlying these changes was the intensification of economic activities that thrived on the evasion or violation of official rules and regulations. Such economic activities were therefore commonly described as informal. These non-official activities became increasingly important for the survival and social mobility strategies of elites and non-elites alike.

State agents played a crucial role in the informal economy, which made heavy use of the official economy's resources, assets, labour, knowledge, information and infrastructure. For instance, informal import–export trade depended heavily on customs officials, who could declare goods for less than their actual value, issue false papers and carry out selective inspections of loads. At the same time, official economic activities became increasingly dependent on non-official practices in order to obtain access to foreign exchange or scarce transport possibilities. Hence, as with the present day, the informal economy straddled the state and non-state spheres.¹³

The growing implication of state agents in the non-official sphere was tolerated by the political centre. Aware of the decreasing resources on

11 Michael Schatzberg, *Politics and Class in Zaire. Bureaucracy, Beer and Business in Lisala*, New York and London: Africana, 1980.

12 William Reno, *Warlord Politics and African States*, Boulder: Lynne Rienner, 1998.

13 Janet MacGaffey, 'Historical, cultural and structural dimensions of Zaire's unrecorded trade', in *The Real Economy of Zaire. The Contribution of Smuggling and Other Unofficial Activities to National Wealth*, ed. Janet MacGaffey, London: James Currey and Philadelphia: University of Pennsylvania Press, 1991.

offer, Mobutu encouraged civil servants and other state agents to fend for themselves (*se débrouiller*), through extortion and other abuses of power. As a consequence, state agents engaged in increasingly predatory behaviour, turning the state into a key source of socio-economic insecurity for citizens. Moreover, in tandem with decreasing control and resources from the centre, the growing orientation towards revenue generation fostered a decline in the administrative and regulatory capacity of the state apparatus, particularly in relation to policy enforcement.¹⁴

The state security services saw a similar decline in their already limited operational effectiveness. This especially applied to the army, which played an important role in maintaining domestic order. Haunted by the spectre of a military coup, Mobutu prioritized loyalty over competence, and granted key figures in the military establishment access to a wide range of revenue-generating opportunities, which had the added advantage of keeping them out of politics.¹⁵ Such opportunities included accumulating resources extracted from citizens, embezzling soldiers' salaries and other funds, and making money in the informal economy by protecting illegal activities. Since they were deployed in core economic areas (for example, border posts, transport hubs) and were able to use their coercive abilities and political connections, officers of the national armed forces often entered into partnerships with civilian business-people, becoming involved in activities such as import-export trade, smuggling and transport.¹⁶ Army commanders also interfered with the civilian administration in their area of deployment or origin, partly to maximize revenue generation, with some turning into 'petty tyrants' or 'local warlords'.¹⁷

As with other parts of the state apparatus, the involvement of the military in extortion intensified as the official economy further contracted,

14 Michael Schatzberg, *The Dialectics of Oppression in Zaire*, Bloomington and Indianapolis: Indiana University Press, 1988; Callaghy, *State-Society Struggle*.

15 Young and Turner, *Rise and Decline*.

16 Bayart, *L'Etat en Afrique*; Reno, *Warlord Politics*.

17 Schatzberg, *Dialectics of Oppression*, 57.

and state and patronage resources became increasingly scarce. At the end of the 1980s, it was estimated that soldiers derived no less than 90 per cent of their income from sources other than their salary.¹⁸ In the course of the 1990s, the payment of military salaries became increasingly irregular, pushing the military to the verge of disintegration. This facilitated the emergence of independent centres of coercive power in the form of both urban-based and rural militias. At the same time, due to rising insecurity that was in part created by the military itself, the demand among businesspeople grew for private protection arrangements with the army.¹⁹

In 1990, Mobutu announced a transition to multi-party democracy, a promise that was never kept. The prospect of widening political space did, however, foster political competition and raised its stakes. This growing competition was reflected in and stimulated the increasing use of force, in particular in the east, where during this period, long-standing conflicts around territory, local authority and identity intensified. Force was also increasingly mobilized by political actors for furthering personal political and economic interests. A good example of this kind of political-military entrepreneur was the Nande politician Enoch Muvingi Nyamwisi who in the north of North Kivu liaised with militias, notably the Kasindiens and the Bangilima, to reinforce his position. Muvingi also became a broker between Mobutu and the Ugandan rebels of the National Army for the Liberation of Uganda (NALU) based in the Ruwenzori mountains.²⁰ In 1992 and 1993, thousands of Kasaians were violently expelled and numerous killed by youth militias in Katanga Province.²¹ Shortly after-

18 Peter Rosenblum, 'Constructing the authoritarian state: Zaire', *Third World Legal Studies* 9 (1990).

19 Timothy Raeymaekers, *Violent Capitalism and Hybrid Identity in the Eastern Congo. Power to the Margins*. Cambridge: Cambridge University Press, 2014.

20 Stanislas Bucyalimwe Mararo, 'Le nord-kivu au cœur de la crise congolaise', in *L'Afrique des Grands Lacs, Annuaire 2001–2002*, eds. Stefaan Marysse and Filip Reyntjens, Paris: Karthala, 2003.

21 Donatien Dibwe dia Mwemba, 'L'épuration ethnique au Katanga et l'éthique du redressement des torts du passé', *Canadian Journal of African Studies/La Revue canadienne des études africaines*, 33/2–3 (1999).

wards, large-scale violence broke out in Walikale (North Kivu) involving militias mobilized with the support of local authorities and politicians. This violence rapidly spread to other parts of the province, causing large-scale upheaval.²²

While the presidential guard eventually managed to restore security in North Kivu, events in the wider Great Lakes Region, particularly the genocide in Rwanda, would soon generate new waves of instability that the security services could not or were no longer willing to address. In 1996, the insurgency of the *Alliance des forces démocratiques pour la libération du Congo-Zaire* (AFDL, Allied Democratic Forces for the Liberation of Congo-Zaire), backed by a coalition of regional powers, managed to topple the Mobutu regime in only seven months.

The rise of political-military entrepreneurs (1996–2006)

The AFDL rebellion, which sparked the First Congo War (1996–1997), led to a complete overhaul of the Congo's post-independence political settlement (shaped by the Mobutu regime). Importantly, it established a regime where *Swahiliphones* (Swahili-speaking people) from the east, in particular from Katanga and the Kivu provinces, held important positions, to the disadvantage of the *Lingalaphones* (Lingala-speaking people), from mostly the north-west, who had dominated under Mobutu's rule. The AFDL takeover also opened the door to far-reaching foreign influence, in particular of Rwanda and to a lesser extent Uganda, which had provided crucial support to the AFDL. Efforts by the Congo's new president, Laurent-Désiré Kabila, to diminish this influence eventually prompted Rwanda and Uganda to create and support a new rebellion. In August 1998, the *Rassemblement congolais pour la démocratie* (RCD, Congolese Rally for Democracy) launched its first attack, setting off the Second Congo War (1998–2003).

22 Stanislas Bucyalimwe Mararo, 'Land, power and ethnic conflict in Masisi (Congo-Kinshasa), 1940s–1994', *International Journal of African Historical Studies* 30/3 (1997); Jason Stearns, 'North Kivu: The Background to Conflict in North Kivu Province of Eastern Congo', Usalama Project, London: Rift Valley Institute, 2013.

The Second Congo War heralded a profound militarization of the Congo's political settlement. Power was largely exercised through multi-layered political-military networks that regrouped government and rebel actors from countries in the region and domestic political-military movements striving to take control over the country. These actors were in turn linked to myriad small-scale militias resisting or allying with these external and national security forces, while also fighting for more localized spheres of influence and agendas, often linked to conflicts around identity, territory and local authority.²³ The resulting militarized power complexes fuelled and fed off an economy that was primarily shaped by coercion-driven activities, including the military occupation and control of production sites, border posts and airstrips; forced monopolies, imposed taxation and coercive price-fixing; and plunder, looting and asset-stripping.²⁴

These militarized political and economic activities, which took various forms and involved different levels of violence, built upon existing networks and social practices, taking their cue from the military-led revenue generating activities and militia politics that had developed under Mobutu's rule in the 1990s. However, political-military entrepreneurs now gained more prominence than ever before.²⁵ In the east's rural areas, commanders of Mai-Mai militias—an umbrella term for armed groups employing discourses of self-defence and native belonging—strongly influenced the governance practices of customary chiefs and other local authorities. Similarly, in RCD-held areas, its military units exercised strong control over the administrative apparatus, to the detriment of the group's political wing. At the same time, army officers from regional powers played important roles in economic activities, as well

23 Koen Vlassenroot, 'Reading the Congolese crisis', in *Conflict and Social Transformation in Eastern DR Congo*, eds. Koen Vlassenroot and Timothy Raeymaekers, Ghent: Conflict Research Group and Academia Press, 2004.

24 United Nations, Security Council, 'Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo', 16 October 2002, S/2002/1146.

25 Vlassenroot, 'Reading the Congolese crisis'.

as in maintaining economic and political control. These patterns were reproduced in areas held by other rebel movements, where domestic and regional military actors similarly became important players in politics and the economy, often to the detriment of local civilian authorities.²⁶

Through the power-sharing arrangements that formed the basis of a peace accord adopted in 2003, most of the political-military factions involved in the Second Congo War agreed to divide up positions in the political and administrative institutions, including the government, the parliament and parastatal companies. They also eventually agreed to disband their military wings and integrate these into a new national army, the *Forces armées de la République démocratique du Congo* (FARDC, Armed Forces of the Democratic Republic of the Congo), under a mixed command chain. Hence, during the transitional period that followed the adoption of the peace accord, a new political settlement emerged based on a delicate balancing act between different factions and interests. The peace accord was signed by the government and no less than five belligerent factions, one of which, the Mai-Mai entity, was an imperfect amalgamation of dozens of distinct and heterogeneous groups. Other signatories included 'civil society', comprising an equally disparate mix of groups, and what was called the 'non-armed opposition', comprised of 28 different political parties. These entities had relatively limited influence, reflecting how the balance of power had shifted towards factions with military power, most of which transformed into political parties at the start of the transition.²⁷

Since influence at the negotiation table—and later in the transitional government—was in part a function of military strength, and because using or threatening violence proved a valuable political asset, the

26 Olivier Lanotte, *République démocratique du Congo. Guerres sans frontières. De Joseph-Désiré Mobutu à Joseph Kabila*. Brussels: GRIP, Éditions Complexe, 2003.

27 Jean Claude Willame, *Les 'Faiseurs de Paix' au Congo. Gestion d'une crise internationale dans un État sous tutelle*, Brussels: GRIP, Éditions Complexe, 2007.

transition entrenched the political instrumentalization of violence.²⁸ This was especially visible in the military integration process, which unfolded in an irregular manner. Many of the belligerent factions were embedded in local and regional political-economic networks that did not depend on the political centre, and which were hesitant to give up their autonomous sources of income and influence.²⁹ Some leaders refused to integrate their troops into the army and kept hidden arms caches. Others did integrate but manipulated their integration, attempting to maintain separate chains of command and un-integrated units in the army. Such tactics were particularly applied in the east, which had seen the most profound and fragmented militarization during the wars.³⁰

Those who initially refused military integration were offered another opportunity to integrate at a later stage, often being promised higher ranks and positions than before. This policy created incentives for military leaders to refuse integration or desert, as it allowed them to up the stakes in subsequent rounds of negotiations. When new negotiations did not yield the desired results, they would frequently withdraw from the process to create more mayhem and demand further concessions in future integration processes. Where this strategy was successfully applied, reintegrated military leaders set a precedent, showing how violence is rewarded with high ranks and positions, which resulted in the proliferation of armed groups.³¹

Both armed groups, and the semi-autonomous networks in the army that developed during the transition, liaised with local political leaders,

28 International Crisis Group, 'The Congo's Transition is Failing: Crisis in the Kivus', Report 91/Africa, 30 March 2005; Denis Tull and Andreas Mehler, 'The hidden costs of power-sharing: reproducing insurgent violence in Africa', *African Affairs* 104/416 (2005).

29 Koen Vlassenroot and Timothy Raeymaekers, 'New political order in the DR Congo? The transformation of regulation', *Afrika Focus* 21/2 (2008).

30 Judith Verweijen, 'Half-brewed: the lukewarm results of creating an integrated Congolese military', in *New Armies from Old. Merging Competing Military Forces after Civil Wars*, ed. Roy Licklider, Washington, DC: Georgetown University Press, 2014.

31 Maria Eriksson Baaz and Judith Verweijen, 'The volatility of a half-cooked bouillabaisse. Rebel–military integration and conflict dynamics in eastern DRC', *African Affairs* 112/449 (2013).

authorities and businesspeople. These links were a result of, and further fuelled, the ongoing militarization of political and economic competition, conflict regulation and local governance. (Aspiring) politicians, businesspeople, customary chiefs and local administrators all drew on armed groups or allied parallel networks in the army to wield influence, obtain resources and disadvantage or harm opponents and competitors. The resulting widespread use of force reinforced the existing distrust, not only among ex-belligerents and opposed communities, but also towards the state apparatus, and the security services in particular.

Many of the former belligerent factions and their associated civilian networks believed that positions in the FARDC command chain had not been evenly distributed, causing certain factions to dominate. For discontented factions and communities, the FARDC's perceived lack of neutrality justified maintaining ties to armed groups as a form of self-defence, a trend reinforced by political-military entrepreneurs, who drew on ethnic rhetoric or other conflict narratives to force their power and popularity. Local security dilemmas ensued: Opposing communities each believed they needed armed force at their disposal to avoid becoming victim of the other.³² By tolerating and endorsing armed groups, however, insecurity only grew, not least as many groups preyed on the very communities they claimed to protect.

The emergence of a formal political *unsettlement* (2003–2006)

The political settlement that was forged during the transition was relatively inclusive, as a large number of different groups and factions gained formal access to the state apparatus and the political arena. Intense competition for power, however, was undiminished. In fact, the competition and

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32 Maria Eriksson Baaz and Judith Verweijen, 'Between Integration and Disintegration. The Erratic Trajectory of the Congolese Army', paper prepared for The DR Congo Affinity Group, Social Science Research Council, 2013; see also: Christoph Vogel, 'Contested statehood, security dilemmas and militia politics: the rise and transformation of the Raia Mutomboki in eastern DRC', in *L'Afrique des Grands Lacs. Annuaire 2013–2014*, eds. Filip Reyntjens, Stefaan Vandeginste and Marijke Verpoorten, Paris: L' Harmattan, 2014.

conflicts that had fuelled both Congo wars continued but were no longer primarily fought out on the battlefield. Rebel movements transformed into political parties and tried to gain influence and stake out claims both through the central state apparatus, including the armed forces, and outside of it, by creating or liaising with armed groups. Additionally, many ex-belligerent factions were not cohesive, which fostered internal competition and splits. The transition introduced what has been termed a 'formal political *unsettlement*', involving the creation of a set of formal political institutions that became the theatre for ongoing conflict and bargaining over control of and access to the state.³³

The conflicts and competition fuelled by this political unsettlement were tackled on unequal footing. The factions that could muster the most military strength had a privileged position at the negotiating table and were allocated more powerful positions. This invited the belligerents to demonstrate their capacity to use force, hoping that this would earn them a larger share of the national cake. Consequently, the substantial degree of inclusivity in the political settlement—at least among elite and military factions—went hand in hand with further violence.

Criteria other than the mobilization of violence, however, also determined which factions dominated in the new political settlement. In order to be influential, groups also needed political and economic capital, including connections in higher echelons of the administrative apparatus and the presidential patronage network; the knowledge and skills to play the system; (autonomous) economic power in the form of the ability to access revenue without depending on the political centre; and international and regional connections and support, including from government officials of neighbouring countries. These skill sets and networks of contacts were different from those that were needed during the Congo Wars, which created renewed space to be included in power structures. As a consequence, the political settlement that emerged during the transition was relatively fluid.

33 Christine Bell and Jan Pospisil, 'Negotiating Inclusion: the space of the formalised political unsettlement', *Journal of International Development*, forthcoming.

The introduction of multi-party democracy made the transitional political settlement even more dynamic. The transition was to be ended through general elections, which were eventually held in 2006. Elections required ex-belligerents striving to hold on to power to build up a voter base, for which they needed a measure of popularity. Some groups, however, anticipated weak electoral results and believed that resorting to violence could compensate for a lack of popularity and formal political representation.³⁴ A key example was a group of dissidents within the RCD, a faction whose limited popularity meant little chance of holding on to power via the ballot box. This group, which was dominated by Tutsi officers and politicians, decided to withdraw from the transitional process and institutions. This decision was also motivated by fear for their own safety and that of the Tutsi community, who had been subject to a long history of harassment. Based in their former stronghold in North Kivu, they formed a new insurgent movement that was eventually named the *Congrès national pour la défense du peuple* (CNDP, National Congress for the Defence of the People).³⁵

The CNDP quickly grew to be one of the most powerful rebel movements after the transition. Its strength partly lay in the movement being embedded in cross-border elite networks, linked to Rwanda, in particular. The Tutsi politicians, businesspeople and officers driving the CNDP maintained close links to Rwandan government officials, army officers and diaspora members.³⁶ At the same time, there was a measure of collusion between the CNDP and parts of the Congolese state apparatus, including ex-RCD officers in the government security forces who were part of the presidential patronage network.³⁷ One of the incentives these

34 Jason Stearns, Judith Verweijen and Maria Eriksson Baaz, 'The National Army and Armed Groups in the Eastern Congo. Untangling the Gordian Knot of Insecurity', Usalama Project, London: Rift Valley Institute, 2013.

35 Jason Stearns, 'From CNDP to M23. The Evolution of an Armed Movement in Eastern Congo', Usalama Project, London: Rift Valley Institute, 2012.

36 Stearns, 'From CNDP to M23'.

37 Stephanie Wolters, 'Trouble in Eastern DRC: The Nkunda Factor', Situation Report, Pretoria: Institute for Security Studies, 2007.

officers had for colluding with the CNDP was that it provided them with influence over the armed group, which in turn translated into leverage in Kinshasa. The presidential patronage network expected these figures to help contain the menace of the CNDP—including through negotiations—and therefore offered them significant advantages, such as positions of importance and leeway in private revenue-generating activities.

A similar pattern emerged in relation to other ex-belligerent factions refusing to demobilize or integrate all their troops into the FARDC. Army officers or politicians maintaining contacts with these armed remnants saw their political weight increase accordingly, as the presidential patronage network needed them to contain the potential threat these factions posed.³⁸ This development shows how porous the boundaries between the state and non-state spheres became—in part due to the messy character of the army integration process and the wholesale integration of ex-rebel networks into the state apparatus. This complex situation remained unchanged after the transition ended in 2006, since many of the war-era militarized networks remained partially intact—neither completely integrated into the state apparatus nor completely dissolved—though often changed in form. Moreover, a number of integrated army officers deserted and formed new armed groups.

³⁸ Judith Verweijen, 'The Ambiguity of Militarization. The complex interaction between the Congolese armed forces and civilians in the Kivu provinces, eastern DR Congo', PhD dissertation, Utrecht University, Utrecht, 2015.

3. The post-transitional political settlement

The 2006 elections consolidated the power of the incumbent, President Joseph Kabila, who had ruled the country since his father's death in 2001. The result of this electoral victory was a further concentration of power in the presidential patronage network, a process that had already commenced during the transition.³⁹ This trend intensified markedly after he also won the 2011 elections, which were generally recognized as flawed.⁴⁰ The concentration of Kabila's power since 2001 is double-edged; on the one hand, it has rendered the post-transitional political settlement increasingly exclusive, on the other it has allowed for a certain amount of stability, at least at the national level.

This relative national-level stability, however, has not translated into stability in the east. In contrast to other parts of the country, armed groups have continued to be active in a zone stretching from northern Katanga (mostly in what is now Tanganyika Province) up to Haut-Uélé in former Orientale Province, although the majority operate in the two Kivu provinces. With the exception of the former rebel group CNDP, its now equally defunct successor group the *Mouvement du 23 Mars* (M23, March 23 Movement), and a number of large-scale non-Congolese rebel groups of neighbouring states, notably the *Forces démocratiques de libération du Rwanda* (FDLR, Democratic Forces for the Liberation of Rwanda), few of these groups have posed a direct threat to Kinshasa or played significant roles in regional geopolitics. In fact, while growing in number in recent years, the relative size of armed groups and the geographical spheres under their influence have continued to diminish. Armed groups also play a decreasing role in the national political arena. It is no longer the case, as

39 International Crisis Group, 'Securing Congo's Elections: Lessons from the Kinshasa Showdown', Africa Briefing 42, Nairobi/Brussels, 2 October 2006.

40 The Carter Center, 'Presidential and Legislative Elections in the Democratic Republic of the Congo. Final Report', Atlanta, GA: The Carter Center, 28 August 2011.

it was during the transition, that threatening violence and armed rebellion translates directly into political advantages at the national level.⁴¹

Armed groups' declining relevance in national politics does not imply a disconnection from the national political arena, although the depth of their ties varies. Politicians, such as ministers and members of national parliament, and officers of the national armed forces, all continue to maintain links with armed groups. Nonetheless, the extent to which such links directly influence their power position at the national level seems to have decreased. In contrast to the transition, however, the related benefits are often more indirect than direct and are more strongly tied to personal networks than to organized political parties or factions.

While armed groups' influence has decreased at the national level, in the east, both in provincial politics and the areas in which these groups operate, it has remained unchanged or has even been reinforced. In particular, local authorities and elites, such as customary chiefs, territorial administrators and businesspeople, draw heavily on armed groups. In order to understand this paradox, it is important to gain a basic insight into the nature of the current national-level political settlement and how this settlement shapes the incentive structures for policies towards armed groups in the east.

Relative stability through co-optation and coercion

The uncontested centre of gravity of the current political settlement is the presidential patronage network, which is part of and tries to control ongoing power competition at the national level and between the centre and provincial and sub-provincial elites. The inner circle of this network forms a type of parallel government, which has a strong influence on the government, the national assembly, the higher echelons of the administration, parastatals and key parts of the security apparatus, such as

⁴¹ Judith Verweijen and Claude Iguma Wakenge, 'Understanding armed group proliferation in the eastern Congo', PSRP Briefing Paper 7, London: Rift Valley Institute, December 2015.

the presidential guard and military intelligence.⁴² Within these state institutions, the presidential circle establishes and maintains control by co-opting officials in key positions, forging personalized bonds of loyalty in exchange for access to power and revenue-generating possibilities. The presidential inner circle, however, also deploys a fair amount of coercion: Those whose loyalty is questioned are subjected to threats, intimidation, prosecution, removal from office and other forms of harassment and disadvantages, such as being denied permits or contracts.⁴³ Ultimately, despite ongoing power competition, it is through the relative effectiveness of these measures of control and co-optation that the presidential circle manages to maintain the overall stability of the political settlement at the national level.

The presidential circle prioritizes the consolidation of its own power over being inclusive, relying primarily on those deemed most loyal, a large share of whom originate from various parts of the former Katanga Province.⁴⁴ Even though strategic efforts are occasionally made to co-opt figures with support bases in other parts of the country or who have different political colours,⁴⁵ the political settlement has become increasingly exclusive. Access to the government, which encompasses both those in the core circle of the presidential entourage and those in second-tier networks, is conditional upon being from a political party that belongs to the ruling coalition. At the core of this coalition, known since 2011 as *Majorité présidentielle* (MP, Presidential Majority), stands the party of the

42 Colette Braeckman, 'Quelques questions sur le système Kabila', *Le Soir. Le Carnet de Colette Braeckman*, 10 April 2010; Marianne Meunier, 'La méthode Kabila: le premier cercle', *Jeune Afrique*, 25 May 2009; Philippe Perdrix, 'RDC : Joseph Kabila peut-il changer?', *Jeune Afrique*, 3 May 2012.

43 Fédération Internationale des Ligues des Droits de l'Homme, Ligue des Électeurs, Groupe Lotus and ASADHO, 'République démocratique du Congo. La dérive autoritaire du régime', Paris: Fédération internationale des Ligues des Droits de l'Homme, 2009; International Crisis Group, 'Is Democratic Change Possible?', Report 225/Africa, 5 May 2015.

44 International Crisis Group, 'Katanga, Tensions in DR Congo's Mineral Heartland', Report 239/Africa, 3 August 2016.

45 International Crisis Group, 'Is Democratic Change Possible?'.

president, the *Parti du peuple pour la reconstruction et la démocratie* (PPRD, People's Party for Reconstruction and Democracy). It is largely the PPRD and its allies that control access to the state apparatus, such as positions in parastatals, customs agencies and the territorial administration. The opposition, by contrast, is largely excluded from these positions, reflecting the zero-sum nature of Congolese politics. Moreover, due to the autocratic tendencies of the government, political and civil liberties are regularly infringed upon and opposition figures are obstructed in their activities.⁴⁶

While the 500-seat legislature is fairly diverse, consisting of representatives from 98 different political parties,⁴⁷ it is also fragmented. Among those that are represented, 76 parties have five or fewer seats. Moreover, the legislature is dominated by the governing coalition, which is under strong influence of the presidential patronage network. Key decision-making does not take place via formal legislative and policy processes but occurs via backroom deals by presidential advisors.⁴⁸ The presidential circle also has significant influence over the upper echelons of the provincial administration. In 2007, when the newly elected members of the provincial assemblies elected governors, Kabila's entourage invested heavily in influencing the outcomes of the elections. Similar efforts were undertaken in 2016, when gubernatorial elections were held for the new provinces that were created a year earlier under the framework of the decentralization process.⁴⁹ Fifteen of the 21 newly elected governors are members of the PPRD or other pro-government parties.⁵⁰ There are also

46 International Crisis Group, 'Congo: A Stalled Democratic Agenda', Report 73/Africa, 8 April 2010.

47 The Carter Center, 'Presidential and Legislative Elections'.

48 Philippe Perdrix, 'RDC: Augustin Katumba Mwanke, l'homme qui murmurait à l'oreille de Kabila', *Jeune Afrique*, 27 February 2012; International Crisis Group, 'Stalled Democratic Agenda'.

49 The 2006 constitution stipulates a decentralization process, entailing a multiplication of the number of provinces from 11 to 26 and the devolution of powers to and greater financial autonomy for the provincial level.

50 International Crisis Group, 'Katanga'.

other signs that the political centre, which is dominated by the presidential patronage network, tries to manipulate the decentralization process in order to strengthen its grip on the provinces. For instance, the national government has consistently denied the provinces their constitutionally stipulated financial autonomy by withholding a part of the tax revenues to which they are entitled.⁵¹

Despite the presidential patronage network's growing concentration of power and its increasing hold on the provinces, its control has remained patchy. While it has substantial power over the government, including key administrative and security agencies, it does not exercise centralized, bureaucratic control over the entire state apparatus nor does its power reach to all corners of the national territory. Crucially, power is largely projected through patronage networks, rather than via administrative hierarchies, and lower echelons of state agencies often act with a relatively high degree of autonomy. As a result, the state apparatus's effectiveness in policy implementation and public service provision remains poor.⁵²

Although the political centre has managed to gradually extend its control over areas formerly controlled by semi-autonomous militarized networks, its penetration is still highly uneven, and sometimes resisted by local elites. Local actors often continue to exercise influence over the lower echelons of the territorial administration and parts of security agencies. Consequently, the political centre's attempts to extend control in some regions, are subject to complex processes of coercion and co-optation addressed to local elites. In many cases, control remains indirect, bypassing national administrative hierarchies and agencies, and depending instead on the personal loyalties of local strongmen and

⁵¹ Pierre Englebert and Emmanuel Kasongo Mungongo, 'Misguided and misdiagnosed: the failure of decentralisation reforms in the DR Congo', *African Studies Review*, 59/1 (2016).

⁵² Pierre Englebert, 'Congo blues. Scoring Kabila's rule', Atlantic Council, Africa Center, Issue Brief, May 2016.

women.⁵³ Such indirect control, with minimal bureaucratic foundations, is fluid and uncertain, necessitating constant negotiation.

Intense bargaining with local elites only takes place in areas deemed worth the effort of establishing and maintaining control. Similar to the Mobutu era, the presidential network focuses its efforts on politically and economically strategic sites and sectors, notably the capital city, industrial extractive enclaves and crucial import–export routes. As in the past, industrial copper and cobalt mining in the former Katanga province is still the core source of income for both the Congolese state and the presidential patronage network. This sector is the single biggest generator of export earnings (constituting 79 per cent in 2015) and together with industrial diamond production—of much lesser importance—accounts for approximately 20 per cent of GDP.⁵⁴

Another important revenue source is oil exploitation off the Atlantic coast, in the western part of the country, though dwarfed by industrial mining. Mining and oil concessions—also present in the Kivus and former Orientale Province, and in majority licensed for exploration rather than exploitation—generate revenue that can be spent in a discretionary manner, for instance as patronage resources or on election campaigns. One way to raise such discretionary resources is to sell licenses or shares of the state mining company *Société générale des carrières et des mines* (*Gécamines*, General Society of Quarries and Mines) to offshore shell companies. In many cases, these assets are subsequently sold at hugely increased prices to companies that plan to invest in the involved projects. These practices reached a climax in the run-up to the 2011 elections,

53 Vlassenroot and Raeymaekers, ‘New political order in the DR Congo?’; Timothy Raeymaekers, ‘Protection for sale? War and the transformation of regulation on the Congo–Ugandan border’, *Development and Change*, 41/4 (2010).

54 Aaron Ross, ‘Congo’s copper output falls on low prices, gold rises’, *Reuters*, 10 February 2016.

when they were used in part to finance the electoral campaign of the PPRD.⁵⁵

In sum, Katanga, due to its function as an economic powerhouse and its heavy representation in the presidential inner circle, is crucial to the political and economic survival of the incumbent president. Aside from the capital, other parts of the country are generally of lesser importance, though still contain areas and actors of political, economic or military significance to the presidential patronage network. The result is uneven governance, both materially in terms of investments like road and energy, as well as politically, as reflected in levels of control. This situation also shapes policies towards the conflict-affected zones in the east, the majority of which are located in the Kivu provinces.

Shaping policies towards the east

The eastern Congo presents a variety of entwined political, economic and military-strategic threats and opportunities to the presidential power circle, which it addresses through patronage politics and formal policy-making. To fully understand these formal and informal policies it is important to emphasize that, in continuation with the Mobutu era,⁵⁶ much policymaking appears to take place in an ad hoc and reactive manner, rather than being informed by grand strategies. One cause of this is Kabila's style of governance, characterized by deferring and delaying critical policy decisions.⁵⁷ Moreover, unexpected crises in the east, such as the 2012 M23 rebellion, encourage short-term solutions over long-term policy development and implementation. Furthermore, decisions made in Kinshasa are not always implemented on the ground, since those lower down the hierarchy subvert or redirect policies to

55 Africa Progress Panel, 'Equity in Extractives: Stewarding Africa's Natural Resources for All', Africa Progress Report 2013, Geneva, Switzerland: Africa Progress Panel, 2013; Global Witness, 'News Over Ownership of Congolese Oil Blocks Raises Concerns', Press Release, 29 June 2012.

56 Michael Schatzberg, "'Le mal zairois': why policy fails in Zaire'. *African Affairs* 81/324 (1982).

57 Englebert, 'Congo blues'.

their own ends.⁵⁸ It is often difficult, as a result, to determine whether interventions are a result of the political centre's policies or the sum of the uncoordinated decisions by various stakeholders at different levels, which may well have unintended consequences.

The presidential circle's economic stakes in the eastern Congo are relatively low. The region's biggest source of potential revenue is artisanal mining. State regulation of this sector, however, remains partial and the higher echelons of the relevant state agencies do not fully control their agents on the ground. While these higher echelons do appropriate a part of the revenues raised through taxation and extortion for private and particularistic purposes, the amounts remain limited compared to industrial mining. In contrast to industrial mining concessions, the presidential circle makes limited money from the distribution of artisanal mining titles, which can be obtained at relatively low cost. Expanding industrial mining in the east is therefore an attractive option for the presidential circle.⁵⁹

The artisanal mining sector in the Kivus, however, does hold indirect importance for the president and his network, since it is a source of patronage resources. A proportion of taxes that state agents collect from artisanal mining sites, as well as other revenue obtained via fines and extortion, is informally channelled to their superiors. This system—commonly known as *rapportage* (returning)—allows the upper echelons of state agencies, including the security and intelligence services, to make significant amounts of money.⁶⁰ The presidential circle has the power to appoint and remove people from these lucrative positions, through which it can foster loyalty and maintain control. Moreover, since *rapportage* allows payoffs to key allies without involving additional state resources, it is a low-cost system of control. A similar mechanism

58 Eriksson Baaz and Verweijen, 'Volatility of a half-cooked bouillabaisse'.

59 Sara Geenen and Jana Hönke, 'Land grabbing by mining companies: local contentions and state reconfiguration in South Kivu (DRC)', in *Losing Your Land: Dispossession in the Great Lakes*, eds. An Ansoms and Thea Hilhorst, Oxford: James Currey.

60 Maria Eriksson Baaz and Ola Olsson, 'Feeding the horse: unofficial economic activities within the police force in the DR Congo', *African Security* 4/4 (2011).

applies to informal business dealings. It is well documented that, for example, senior army officers in the presidential patronage network make considerable money from artisanal mining in the east.⁶¹ Co-opting these figures implies tolerance for these less transparent dealings and ultimately enhances the power of those in the presidential circle. When these clients fall out of favour, the government can rotate them to lower positions or instigate judicial action, based on their involvement in illicit practices.⁶²

While the presidential circle may allow some economic latitude to its clients in areas too difficult or unrewarding to control, it does seek more direct control over political and economic resources too lucrative to remain under the control of autonomous local networks. The origins of these local power complexes can be partly traced to the militarized networks that controlled these areas during the Second Congo War.⁶³ A good example is the *Grand Nord* (northern North Kivu) where after the Second Congo War, networks related to the former rebel movement *Rassemblement congolais pour la démocratie/Kisangani–Mouvement de libération* (RCD/K–ML, Congolese Rally for Democracy/Kisangani–Liberation Movement) strived for continued domination in the local administration and security agencies. These included customs and border control agencies (at border posts with Uganda), the civilian intelligence service and the territorial administration.⁶⁴ When allied local elites resisted the presidential circle's efforts to increase its access to these agencies and related revenues, it attempted to replace them with members of its own patronage network. The result was a fierce power struggle that provides a strong impetus to current conflict dynamics in the Beni region.⁶⁵

61 For an example, see: United Nations, Security Council, 'Final Report of the Group of Experts on the Democratic Republic of Congo', 29 November 2010, S/2010/596, 55–56.

62 Verweijen, 'Ambiguity of Militarization'.

63 Vlassenroot and Raeymaekers, 'New political order in the DR Congo?'.

64 Raeymaekers, *Violent Capitalism*.

65 Judith Verweijen, 'Pompier-pyromanocracy. Mbusa Nyamwisi and the DR Congo's inflammable post-settlement political order', in *Warlord Democrats in Africa: Ex-Military Leaders and Electoral Politics*, ed. Anders Thémner, London: Zed Books (forthcoming, 2017).

The presidential circle's policies towards the east are also shaped by the electoral system. Votes decide who stays in office and who does not. In 2011, the two relatively densely populated Kivu provinces combined counted for nearly 16 per cent of the country's registered voters.⁶⁶ Between 2006 and 2011 Kabila's popularity in the region plummeted. In 2006, Kabila won almost 95 per cent of the vote in South Kivu and around 78 per cent in North Kivu (and in the runoff, 98 and 96 per cent, respectively). In the 2011 presidential elections, which had a single round, the president only polled 45 per cent in South Kivu and 39 per cent in North Kivu.⁶⁷ Given that these elections were marred with irregularities, these figures may not even accurately reflect the president's actual drop in popularity. While election rigging partly offset the need for a popular support base, it undermined both his domestic and international legitimacy.⁶⁸ This shows that the presidential circle does need to maintain a measure of popular support in the Kivus, even if the incentives are relatively weak.

Regional geopolitics also impact the presidential circle's policies towards the east. The countries of the Great Lakes region share a troubled history of mutual military invasions, proxy warfare and providing sanctuary to each other's rebel groups. These dynamics reached their apex during the Second Congo War, when Congolese elites liaised with militaries, politicians and businesspeople from regional states to reinforce their positions. Such alliances forged and were the product of cross-border economic networks that sometimes also encompassed diaspora populations.⁶⁹ Parts of these networks continued to remain in force after the end of the Second Congo War, constituting a centrifugal force in

66 The Carter Center, 'Presidential and Legislative Elections', 30.

67 Wikipedia, 'Élection présidentielle de 2011 en République démocratique du Congo'.

68 International Crisis Group, 'Is Democratic Change Possible?'.

69 Gérard Prunier, *Africa's World War: Congo, the Rwandan Genocide, and the Making of a Continental Catastrophe*, Oxford: Oxford University Press, 2009; Filip Reyntjens, *The Great African War: Congo and Regional Geopolitics, 1996–2006*, Cambridge: Cambridge University Press, 2009.

the Congo's political settlement.⁷⁰ The Rwandan government remained actively involved in the eastern Congo via intermediaries, including the rebel group CNDP, and later the M23.⁷¹ Rwandan backing made these rebel groups particularly threatening. The waning of Rwandan involvement in Congolese armed groups after 2013—a development that may prove temporary—has since significantly reduced the threat of armed mobilization in the east.

Unstable stabilization efforts

Over time, the presidential circle's ability to deploy effective military force has increased, with a firmer grip of the presidential military office (the *maison militaire*) on key parts of the armed forces and the completion of the training of various foreign-trained light infantry units, which are among the most effective and loyal parts of the armed forces.⁷² Additionally, from 2009 onwards, the *Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo* (MONUSCO, United Nations Mission for Stabilization in the Democratic Republic of the Congo), has collaborated more actively with the FARDC than in the past, providing logistical and other support to its military operations. The presidential circle's greater capacity to address major military threats has lessened the need to co-opt political-military entrepreneurs, which has induced a parallel decline of armed groups' relevance in national politics.

Yet, maintaining contacts with armed groups has not become entirely worthless for those seeking enhanced political power at the national level. The presidential patronage network still has incentives to keep a degree of indirect leverage over armed groups via intermediaries. Such incentives, however, are much feebler when it concerns small-scale

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70 Raeymaekers, 'Protection for sale?.'

71 Stearns, 'From CNDP to M23'.

72 The presidential circle's increased capacity to deploy effective military force was evidenced by the defeat of the M23, see: Jason Stearns, 'As the M23 Nears Defeat More Answers than Questions', *Congo Siasa*, 30 October 2013.; Darren Olivier, 'How M23 Was Rolled Back', *African Defence Review*, 30 October 2013.

armed groups with limited political, financial and military clout that operate in remote areas and lack networks of strategic and economic importance.⁷³ Due to the fragmentation of the armed group landscape over the past years, the majority of groups operating currently fall into this latter category.⁷⁴ This undermines the potential value to national political elites of liaising with these groups. The diminishing role of armed groups and related networks in national politics and the fragmentation of the armed group landscape in the east are, therefore, mutually reinforcing trends.

Despite the decreasing threat that armed groups in the east pose to the presidential power circle, there are still cases where the latter has a direct or indirect interest in neutralizing these groups. Examples are when armed groups control zones of (potential) economic importance or are linked to local elites who control such zones, such as industrial gold mining concessions and border areas. Another case is when armed groups constitute a menace or nuisance, not so much to the presidential circle but to its local allies. The former may then allow military operations to be conducted against these groups without this being directly in its own interest. For instance, when the CNDP was integrated into the FARDC as a separate network between 2009 and 2012, it initiated numerous military operations. These operations were often primarily aimed to settle old scores or extend control over lucrative areas, such as artisanal mining sites.⁷⁵ Kinshasa accepted these operations from which it did not directly benefit, to pacify the CNDP and maintain its loyalty. Finally, armed groups that do not currently pose a threat may do so in the future. For example, it may be the case that external powers begin to court them or that they forge coalitions with other more powerful

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73 Hugo de Vries, 'Going Around in Circles. The Challenges of Peacekeeping and Stabilization in the Democratic Republic of the Congo', CRU Report, The Hague: Clingendael, Netherlands Institute for International Relations, August 2015.

74 Verweijen and Iguma Wakenge, 'Understanding armed group proliferation'.

75 International Crisis Group, 'Congo: No Stability in Kivu despite a Rapprochement with Rwanda', Report 165/Africa, 16 November 2010.

groups.⁷⁶ It is, therefore, expedient for the presidential circle to maintain these groups within certain bounds and safeguard a minimum of leverage over them.

The incentives for the political centre to demobilize armed groups that do not constitute a direct major threat, however, remain weak, especially since there are potential benefits in the groups' continued existence. Some politicians allied to the presidential circle derive part of their strength, income and popularity from their connections to armed groups.⁷⁷ Keeping the power base of these allies intact also ensures the continued influence of the presidential circle. It might, therefore, tolerate the armed groups to which these figures are linked. This is especially the case where the politicians in question are able to mobilize the electorate for the pro-government camp. For instance, during the 2011 elections, a local strongman in Masisi, Erasto Ntibaturama, who commands a group of local defence forces, compelled the electorate to vote for the incumbent president (as well as his own son, a candidate for the national assembly), with the support of ex-CNDP officers who had integrated into the FARDC.⁷⁸ Other politicians close to the presidential camp are also reported to maintain contacts with armed groups.⁷⁹ It is no different for opposition politicians who often try to reinforce their support by spreading the same anti-government discourses that many armed groups use—a rhetoric that resonates among those who are discontent with the current social-political order.⁸⁰ Hence, both pro and anti-government politicians liaise with armed groups. This further testifies to the complex

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76 A good example is the M23 and its backers, who reached out to several smaller armed groups in Ituri and the Kivu provinces. See: United Nations, Security Council, 'Final Report of the Group of Experts on the Democratic Republic of Congo', 15 November 2012, S/2012/843.

77 Stearns, Verweijen and Eriksson Baaz, 'The National Army and Armed Groups'.

78 Human Rights Watch, 'DR Congo: Rein in Security Forces. Tensions Mount Ahead of Election Results', Press Release, 2 December 2011; UN Security Council, S/2010/596.

79 For an example, see Wikileaks, 'The APCLS. The Hunde Military Force', 18 November 2009.

80 Jason Stearns et al. 'Mai-Mai Yakutumba: Resistance and Racketeering in Fizi, South Kivu', Usalama Project, London: Rift Valley Institute, 2013.

nature of armed mobilization in the eastern Congo, which straddles state and non-state, government and non-government spheres.

This complexity is further reflected in the occasional use by government security forces of armed groups, including rebel movements of neighbouring states present in the east, such as the Rwandan-led FDLR,⁸¹ as proxies or allies in the fight against other armed groups. This practice was particularly widespread in the struggle against the CNDP⁸² and to a lesser extent the M23.⁸³ Such proxy strategies should partly be seen as low-cost compensation for the structural and operational weaknesses of the government security forces. It is also part of a broader pattern of collusion between the national army and armed groups, which is often more an outcome of the ad hoc practices commanders employ on the ground than the result of top-down military strategy. It is widely documented that FARDC commanders maintain assorted contacts with armed groups, for instance to enable mutually profitable economic activities, to sell arms and ammunition or to arrange non-aggression pacts.⁸⁴

Such lower-level arrangements, however, do not prevent ongoing FARDC military operations against armed groups. Army commanders are keen to conduct such operations since they are an important source of income and influence. Such operations allow them to appropriate some of the funds allocated to operations, command bonuses and, in some cases, generate additional income on the side; for instance, when military operations extend army control over areas rich in natural resources or when they allow the army to extract resources from the population through imposed contributions or extortion. In sum, military operations generate extra resources for a severely underpaid army and allow the presidential circle to appoint and withdraw commanders from much

81 DR Congo Affinity Group, 'FDLR. Past, Present and Policies', New York: Social Science Research Council, 24 March 2014.

82 Jason Stearns. 'PARECO. Land, Local Strongmen and the Roots of Militia Politics in North Kivu', Usalama Project, London: Rift Valley Institute, 2012.

83 United Nations, Security Council, 'Final Report of the Group of Experts on the Democratic Republic of Congo', 23 January 2014, S/2014/42.

84 UN Security Council, S/2010/596.

desired command positions. They therefore enhance—in a relatively low cost manner—the presidential circle’s grip on a volatile army in the Kivus that is still riddled with parallel command chains.⁸⁵

The eastern Congo’s ongoing situation of violent conflict has become a political resource for the presidential circle in other ways too. Poverty in many parts of the western Congo is worse than in the east. A recent study on multidimensional poverty among women, for instance, ranks *Kasai-Occidental* and *Kasai-Oriental* (West Kasai and East Kasai, respectively) as the provinces where female well-being was lowest in 2010.⁸⁶ The vast majority of non-governmental organizations (NGOs) and United Nations (UN) agencies, however, operate in the east, since they prioritize operations in zones of armed conflict. The presence of this plethora of humanitarian, development and peacebuilding structures, as well as the accompanying influx of expatriates, is a source of tax revenues for the national and provincial governments. The aid industry has, moreover, become a crucial pillar of the economy in the eastern Congo, creating employment and increasing demand for imported consumer goods, real estate and services such as hotels, gastronomy and entertainment.⁸⁷

Since the current elites largely control access to opportunities and resources that development and humanitarian initiatives open up, these interventions often end up strengthening existing power relations. Local elites also try to harness these initiatives to their own ends. They may, for example, distribute contracts to their clients or present themselves as the initiators or financiers of projects that in reality were funded with aid money.⁸⁸ Finally, international donor efforts free the government of its duty to invest in basic service provision. NGOs build, equip and

85 Verweijen, ‘Ambiguity of Militarization’.

86 Nanivazo Malokele and Kristi Mahr, ‘Spatial and Temporal Analyses of Women’s Wellbeing in the Democratic Republic of the Congo’, WIDER Working Paper 2015/059, Helsinki: United Nations University World Institute for Development Economics Research, August 2015.

87 Karen Büscher and Koen Vlassenroot, ‘Humanitarian presence and urban development: new opportunities and contrasts in Goma, DRC’, *Disasters* 34/S2 (2013).

88 De Vries, ‘Going Around in Circles’.

run healthcare centres, provide free medication, construct water wells, and distribute tools and seeds.⁸⁹ This donor engagement also reduces the possibility that conditions in the east could become dire enough to provoke revolt against the government.

Ongoing violent conflict in the east has become part of the status quo, which elites at various levels have a vested interest to maintain. This complex incentive structure inhibits efforts to end armed group activity and stabilize the east. Instead, the presidential circle appears to prioritize low-cost and short-term policies, such as the containment rather than the sustainable demobilization of armed groups. In doing so, it seems to prefer solutions that strengthen its grip on the state apparatus by generating new patronage resources, for instance, through military operations. These policies have further entrenched the role of armed groups in the sub-national political settlements in the east.

89 Englebert, 'Congo blues'.

4. Armed groups and political settlements in the east

After more than two decades of ongoing violent conflict, armed groups have become a central feature of political settlements in the eastern Congo. These groups have significant influence on the power and practices of the political, military and economic elites who are the main actors in these settlements. Armed groups have, as a result, come to play an important role in local governance configurations within their spheres of operation. Not only do they try to govern civilians in their operational areas directly (for instance, by engaging in justice provision and conflict resolution), they also exercise significant influence on the governance practices of local authorities, such as administrators, members of the security services and state-recognized customary chiefs. They may, for example, become arbiters in local power struggles by liaising with one faction or the other, or shore up the power of friendly local authorities by helping them to enforce decisions.

Armed groups and their military strength wax and wane depending on the conjuncture of factors such as military operations and the activities of other armed groups, shifts in local alliances and allies, and levels of support from the population. Changes in an armed group's fortunes tend to bring about wider shifts in the local political settlement. Equally, changes in the civilian dimension of the political settlement—for instance, the victory of a particular faction in a customary power dispute or the acquisition of a mining concession by an economic operator—may, in turn, have repercussions for an armed group.⁹⁰

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90 For examples, see: Judith Verweijen, 'A Microcosm of Militarization. Conflict, Governance and Armed Mobilization in Uvira, South Kivu', Usalama Project, PSRP, London: Rift Valley Institute, 2016; Koen Vlassenroot, Emery Mudinga and Kasper Hoffmann, 'Contesting Authority. Armed Rebellion and Military Fragmentation in Walikale and Kalehe, North and South Kivu', Usalama Project, PSRP, London: Rift Valley Institute, 2016.

Overall, the relative influence of armed groups on the eastern Congo's various local political settlements is relatively stable. Groups that disappear are often rapidly succeeded by others, whether operating as full-time armed groups or as village-based local defence forces. The Congolese armed forces, for their part, rarely succeed in permanently occupying areas formerly under armed group control, often withdrawing to conduct operations elsewhere. Consequently, many areas are under alternating control of armed groups and the national armed forces.⁹¹ This points to another continuity in the eastern Congo's political settlements; namely, that the general role of political-military entrepreneurs continues to be significant—whether they are part of or linked to state or non-state armed forces.

In this conflicted region, not being able to draw on the leverage and protection armed actors can bring often leads to difficulties in business, increased levels of harassment by state agents and greater risks of being attacked. It also yields comparative advantages to personal and political competitors and opponents who are able to mobilize force. The elevated significance of armed actors in non-military domains of social life, such as politics, the economy and local governance, reflects (militarization) processes that are both a cause and result of the weakness of civilian authority. While individual civilian authorities may see their position strengthened by liaising with armed groups or the army, at the level of the eastern Congo as a whole, their influence has been weakened by the role of men and women with guns.⁹²

Despite the eastern Congo's potential for flux, its instability is, for the most part, stable. The role of armed actors remains unchanged and levels of militarization do not fluctuate significantly. There is also stability in other respects. While many armed groups are dissatisfied with the current social-political order, as well as the performance of the state in

91 Steven Van Damme, 'Commodities of war. Communities speak out on the true cost of conflict in eastern DRC', 164 Oxfam Briefing Paper, Oxford: Oxfam GB for Oxfam International, November 2012.

92 Verweijen, 'Ambiguity of Militarization'.

that order, their own practices often strongly mimic those of state actors, in particular the armed forces, including their predatory and violent character. Armed group discourses similarly remain firmly inscribed in the idea of the nation-state and the state-controlled social-political order, despite armed groups' opposition to the current holders of power.⁹³ Due to their multiple links to state actors, which helps shore up the latter's power, armed groups also contribute indirectly to the perpetuation of the current order. In order to better understand the resulting stable instability—or how armed groups contribute to reproducing the current order—it is necessary to analyse the social networks in which armed groups are embedded and how these straddle both state and non-state spheres.

Multi-layered social embedding

Armed groups are deeply embedded in multi-layered social networks, stretching from the very local level of their home area to the sub-regional and international level. Many smaller armed groups, most of which generically self-identify as 'Mai-Mai', are well connected to the home areas of their principal leaders, who tend to be from the same ethnic group. Their main recruitment and support base is usually also from the leadership's home area and surroundings, sometimes extending to no more than a few villages. This creates close connections between the population and armed groups, which often consist of their brothers, sisters, sons, uncles, neighbours, friends, former classmates and colleagues. Because of these links, armed groups often participate in community life, such as the 30 June celebrations (the Congo's national independence day), and church and sports activities, furthering their social integration.⁹⁴

The high degree of familiarization between community members and armed groups often leads to collaboration. People tend not to refuse food

93 Raeymaekers, 'Protection for sale?'; Kasper Hoffmann and Judith Verweijen, 'The Strategic Reversibility of Stateness: Contemporary Mai-Mai Militias and Processes of State (un)Making in South Kivu, DR Congo', paper presented at the Workshop on Armed Forces and Conflict Dynamics in the Great Lakes Region, Kampala, October 28–30, 2013.

94 Vlassenroot, Mudinga and Hoffmann, 'Contesting Authority'.

or shelter to a co-villager or relative, even when this person belongs to an armed group. Close community links also allow armed groups to hide and operate in relative secrecy, as community members withhold information on their whereabouts to the security services. Community members may additionally provide armed groups with local intelligence—for instance, about who criticizes them or who is reluctant to make financial contributions—helping armed groups maintain social control and generate revenue. As locals, members of armed groups are usually closely acquainted with the local customary chief, who often figures as an intermediary between the armed group and the population.⁹⁵ Customary chiefs from the village up to the chiefdom level tend to collaborate with armed groups in varying ways. They may, for instance, collect in-kind contributions, such as cassava flour or goats, allow armed groups or their intermediaries to access the local market in order to collect taxes, or grant them access to the land of which they are the customary owners for activities such as logging or mining. The relations, power balance and division of labour between customary chiefs and armed groups do, however, differ greatly from one area to the next in ways that reflect complex negotiation processes and local power configurations.⁹⁶

Other local authorities, including those with different ethnic and regional origins from those of the armed groups, also often choose not to confront them and may even collaborate. The reasons for collaboration usually differ per context, and reflect a mixture of fear and expedience. While some authorities merely try to protect themselves, others may seek financial gain or wish to bolster their position in a local conflict. Similar motivations are found in an armed group's relations with other actors living and working in their operational areas, including churches, NGOs and small businesses. Many are forced to pay protection money in order to be able to continue their activities, including workers from

95 Kasper Hoffmann, 'Myths set in motion: the moral economy of Mai-Mai governance', in *Rebel Governance in Civil Wars*, eds. Ana Arjona, Nelson Kasfir and Zachariah Mampilly, Cambridge: Cambridge University Press, 2016.

96 Vlassenroot, Mudinga and Hoffmann, 'Contesting Authority'.

international humanitarian organizations. Armed groups may pressure local staff to donate a part of their salary to the group, or oblige logisticians to make arrangements to avoid ambushes on their convoys.⁹⁷ Members of NGOs, churches and the local business community may also collaborate as they have a measure of sympathy for armed groups and their political projects, or hope to gain benefits from liaising with them. Their active support may involve the use of organizational resources, which are sometimes financed with donor money.⁹⁸

Many armed groups also have collaborators in larger towns and cities near to their rural locations. These supporters, who tend to have civilian jobs and occupation—as students, employees of development NGOs or traders—are often members of the armed group’s political branch or help with recruitment, logistics and intelligence. These urban-based members commonly originate from the armed group leadership’s home areas, being relatives or acquaintances. Their involvement tends to be voluntary, although they may also be put under pressure by threats made to their families back home.

The more intellectual among these urban-based supporters are usually involved in drawing up public declarations on behalf of the armed group, including the *cahier des charges* (list of demands) that armed groups address to the government as a condition for disarmament.⁹⁹ Others, such as those who work as motor-taxi drivers (and are often demobilized combatants), are specialized in intelligence gathering and logistics. Another category of urban collaborators is businesspeople and state agents working, for example, in hospitals, the education sector, customs services, the territorial administration or the security services. Their engagement with armed groups is equally varied. It ranges from passive and tacit tolerance—leaving known armed group collaborators

97 Interviews with staff of humanitarian organizations, Goma, January 2012 and Baraka, December 2011.

98 Judith Verweijen, ‘From autochthony to violence? Discursive and coercive social practices of the Mai Mai in Fizi, eastern DR Congo’, *African Studies Review* 58/2 (2015).

99 Justine Brabant, *Qu’on nous laisse combattre et la guerre finira. Avec les combattants du Kivu*, Paris: Éditions la Découverte, 2016.

unhindered—to doing small favours—allowing armed group members to use internet or printing services for free—to more intense forms of collaboration, such as joint business operations.¹⁰⁰

The next layer of supporters and collaborators can be found in the provincial and national capital cities, and in neighbouring countries. These individuals encompass those who work at provincial and national political institutions, such as members of parliament, ministers and their aides, businesspeople, and members of the security services (mostly army officers). Again, the nature of their relations and type of support varies substantially. Some offer (mostly verbal) endorsements of a specific armed group and its political vision; for instance, by antagonizing an ethnic community that the armed group has declared to fight. Other supporters try to influence high-ranking political and military decision-makers in favour of the armed group. They may, for example, convince these decision-makers not to launch military operations against a particular group or to open negotiations with them. A further category is characterized by its far-reaching support to armed groups, providing money or, in the case of army officers, selling munitions at a low price.

Financial and political support may also be derived from diaspora populations, who in many cases share the same ethnic background as the armed group leadership. Diasporas based in the Great Lakes Region often help with fundraising, diplomacy (for example, contacting foreign officials), business activities including cross-border trade, and recruitment among diaspora and refugee youth. Diaspora communities based in western countries tend to facilitate public relations, such as maintaining websites,¹⁰¹ and may provide limited financial donations.¹⁰²

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100 For example, see: Verweijen, 'Microcosm of Militarization'.

101 An example is the Rwandan *Rassemblement pour l'unité et la démocratie* (RUD, Rally for Unity and Democracy)—Urunana, which operates in North Kivu. Its websites are hosted in the United States, where its political leadership is based, IPAddress.com, RUD-Urunana.org: <http://rud-urunana.org.ipaddress.com>. See: United Nations, Security Council, 'Interim Report of the Group of Experts on the Democratic Republic of Congo', 25 May 2010, S/2010/252, 10.

102 For examples of such contacts, see: Stearns et al., 'Mai-Mai Yakutumba'; Stearns, 'PARECO'; and Stearns, 'From CNDP to M23'.

Straddling state and non-state spheres

The multi-layered networks in which armed groups are embedded show that, paradoxically, many of their supporters and collaborators are state agents. These agents not only provide assistance to armed groups derived from their state employ, but they also manage to enhance their own power (in their capacity as state agents) by liaising with armed groups. One example is army commanders making use of armed groups as force multipliers during operations. Another is local authorities who are able to enforce decisions, such as the outcomes of dispute resolution, by calling on an armed group to intimidate people into accepting or implementing the decision; or politicians who are elected because armed groups put pressure on their electorate to vote for him or her. These examples show how non-state armed groups are an integral part of networks that straddle both state and non-state spheres.

State and non-state boundaries are further blurred by the similarities in appearance, structure and discourse between armed groups and the army. Many armed groups have adopted ranks and organizational hierarchies resembling those of the government security forces. For example, armed groups often have the same staff system, with differently numbered staff officers for various tasks, such as intelligence (S2), operations (S3) and logistics (S4). Many also wear uniforms, draw on practices and use discourses of governance that are similar to those of the state armed forces (albeit with their own particular twist).¹⁰³ The ways armed groups extract resources from civilians, for instance, closely resemble those of the FARDC. Both sets of actors collect fees at roadblocks, demand contributions that are referred to as *efforts de guerre* (war efforts), and impose market taxes and in-kind house-to-house collections, such as donations of flour.¹⁰⁴

In other areas, armed groups have evolved into de facto public authorities. They often emulate government practices and structures, including nomenclature and bureaucratic procedure, in conflict resolution,

103 Hoffmann and Verweijen, 'Strategic Reversibility'.

104 Verweijen, 'Ambiguity of Militarization'.

justice issues and taxation, for instance, establishing courts or issuing documents with their own stamps. These routinized state-like practices and discourses encourage civilian compliance and serve to legitimize armed groups' claims to authority, although employing them does not always stem from a conscious decision, but rather reflects the assumptions of what it is to govern.¹⁰⁵ This shows how the state—in spite of the Congo's experience of it—continues to be seen as the cornerstone of social and political organization, even by non-state armed groups.¹⁰⁶

The continuing appeal of the idea of the state is also reflected in armed groups' self-portrayal as upholders of the state-controlled order, and as striving for its improvement. The *cahier des charges* of 2 January 2011 of the Mai-Mai Kapopo (now defunct and formerly based in the Itombwe forest, in Mwenga territory, South Kivu), for example, states that they 'do not have as [their] objective to overthrow the democratically elected institutions of the Republic, but to:

- defend the territorial integrity and inviolability of the DR Congo against foreign forces
- fight against injustices, dictatorship, values antithetical to democracy and for the establishment of the rule of law
- protect the Congolese peoples and their goods'¹⁰⁷

Armed groups do not propagate a social-political order other than that dominated by the state, calling instead for the Congolese state to conform more closely to the idealized notion of the nation state that is endorsed by western aid donors. Accordingly, their statements demand respect

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 105 Hoffmann and Verweijen, 'Strategic Reversibility'. See also: Kasper Hoffmann and Koen Vlassenroot. 'Armed groups and the exercise of public authority: the cases of the Mayi-Mayi and Raya Mutomboki in Kalehe, South Kivu', *Peacebuilding* 2/2 (2014).

106 Pierre Englebert, 'Why Congo Persists: Sovereignty, Globalization and the Violent Reproduction of a Weak State', QEH Working Paper 95, Oxford: Queen Elizabeth House, University of Oxford, 2003.

107 Kapopo Alunda, 'Cahier des charges présenté au gouvernement de la RD Congo. Groupe Mai-Mai Kapopo. Division des Hauts-Plateaux. Etat-Major commandement', 2 January 2011, unpublished document, on file with the Rift Valley Institute.

for territorial integrity, and advocate the promotion of democracy and the rule of law.

In addition to expressing a desire to improve the state-controlled order, many armed groups demand direct access to it, framing this in the language of rights and entitlements. In particular, they make frequent demands for ranks and positions in the FARDC, and requests for access to state salaries and other benefits, which are often construed in terms of the payment of salary arrears (*arriérés de solde*) and financial support (*prise en charge*). The same Mai-Mai Kapopo *cahier des charges* demands (among its 22 points):

- ‘2. To recognize the ranks and positions of the military and police officers issued from the Mai-Mai Kapopo (...)
8. Financial support for the war-wounded soldiers of the Mai-Mai Kapopo group by the Congolese state
9. To improve the work conditions of the military (decent salary, proper rations, decent housing, appropriate medical care and guaranteed transport)
10. Payment of salary arrears to the soldiers and the provision of financial support to widows, orphans and war casualties’¹⁰⁸

Demands for salary arrears reflect armed groups’ self-perception as patriotic defenders of Congolese sovereign territory, who expel foreign armed groups, such as the FDLR, from their area. The 2013 *cahier de charges* of Nduma Defence of Congo (NDC)—based in Walikale and led by Ntabo Ntaberi Sheka—claims that ‘despite the imperfections of our struggle, nobody, except for the unthankful, is unaware that the causes we defend are noble. Thus, we have helped our government to restore its power over properties previously controlled by foreigners (the FDLR)’.¹⁰⁹

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108 Kapopo Alunda, ‘Cahier des charges’.

109 Ntabo Ntaberi Sheka, ‘Cahier du charges du mouvement N.D.C.’, unpublished document, on file with the Rift Valley Institute, no date. For an analysis of the NDC, see: United Nations, Security Council, ‘Final Report of the Group of Experts on the Democratic Republic of Congo’, 2 December 2011, S/2011/738, 59–65.

Demands to access positions in the state apparatus and state-provided benefits may also be framed in narrow ethnic and regional terms. Armed groups' particularistic views become especially clear in calls for improvement of infrastructure and public service provision for certain areas, and in their demands for more political representation of a certain ethnic group or region (including through the transformation of the group's political branch into a legally recognized political party). For instance, the *Coalition des congolais pour la libération* (CCL, Coalition of Congolese for Liberation), the former armed group led by the late Bede Rusagara,¹¹⁰ demand that:

- 'the sons and daughters of Uvira are also incorporated in the national government and are represented in Congolese diplomacy
- representativeness in the higher management functions of public enterprises
- in the provinces, that the sons and daughters of Uvira are also recruited in the public administration, in the capacity of division head'.¹¹¹

Claims to high ranks in the army are similarly ethnically expressed: Kashologizi, the deputy commander of the Fuliiru-led (now defunct) Mai-Mai Mushombe states, 'We want a Fuliiru general. The Banyamulenge have numerous generals, even the Babembe. But we, the Bafuliiru, we are discriminated against.'¹¹²

Demands for entitlements and claims to defend the rights of a particular constituency are often linked to the notion of autochthony, that is, claims of being the original inhabitants of a particular area, often to the detriment of newcomers and foreigners. Many of the Congo's inter-community conflicts are portrayed as stemming from this dichotomy

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110 On Bede Rusagara, see: Verweijen, 'Microcosm of Militarization'.

111 *Coalition des congolais pour la libération—Force de libération du Congo*, 'Cahier de charge', 17 December 2012, unpublished document, on file with the Rift Valley Institute.

112 Interview with Kashama Ngoy (alias Kashologizi), Marungu, 11 November 2011.

between autochthons and outsiders, who are often identified as *Rwando-phones* (Kinyarwanda-speaking people), Tutsi or Nilotics.¹¹³

Armed groups employ similar discourses to rally popular and elite support.¹¹⁴ The president of the Fizi-based (South Kivu) *Parti pour l' action et la reconstruction du Congo* (PARC, Party for Action and the Reconstruction of the Congo), the political branch of the Mai-Mai Yakutumba,¹¹⁵ stated in an interview, 'The biggest problem is that they, the Rwandans, want to install other entities of local governance. We cannot accept that a native chief [*chef originaire*] is subjected to the orders of a chieftom of a so-called Munyamulenge. He has to exercise power over his whole jurisdiction. ... 'Native' [*originaire*], this notion is very important to us.'¹¹⁶

Autochthonous discourse can also appeal to notions of patriotism, along with the defence of territorial integrity and the nation state as a whole, and even to universalist notions of democracy and freedom. While the CCL document makes claims to specific benefits for the 'sons and daughters of Uvira', it starts by saying that the CCL 'is a Congolese politico-military movement created in 2010 with the objective of liberating the Congolese people from the yoke of an authoritarian regime'.¹¹⁷ As many groups believe that the nation state consists exclusively of autochthonous peoples, there is no contradiction for them between autochthony-based and universalist discourses. Similarly, armed groups may profess to be against the government due to its supposed foreign infiltration.¹¹⁸

113 Stephen Jackson, 'Sons of which soil? The language and politics of autochthony in eastern D.R. Congo', *African Studies Review* 49/2 (2006).

114 Verweijen, 'From autochthony to violence?'; Judith Verweijen and Koen Vlassenroot, 'Armed mobilisation and the nexus of territory, identity, and authority: the contested territorial aspirations of the Banyamulenge in eastern Congo', *Journal of Contemporary African Studies* 33/2 (2015).

115 PARC is the political branch of the *Forces Armées Allejula* (FAAL, Alleluja Armed Forces), also known as the Mai-Mai Yakutumba.

116 Interview with Raphael Looba Undji, outskirts of Sebele, 16 December 2011.

117 *Coalition des congolais pour la libération-Force de libération du Congo*, 'Cahier de charge'.

118 Hoffmann and Verweijen, 'Strategic Reversibility'.

The fact that armed groups are closely associated with specific ethnic constituencies whose rights they claim to defend, does not, however, preclude them from seeking the transformation of the social-political order as a whole. At the same time, visions for change remain firmly anchored in the framework of the classic nation state model. Most armed groups demand access to the state apparatus and call for improved state governance, in particular public service provision. Their struggle is, therefore, for inclusion in the current state-dominated order (along with the exclusion of those they define as foreigners) rather than for the complete overhaul of that order.

Although armed groups demand changes to the current political settlement, they do so within the existing parameters of the nation state and its formal political institutions. Due to their links to state actors and elites, who often derive part of their power from their ability to mobilize force, armed groups also contribute—perhaps unwittingly—to the reproduction of the current state-dominated order. As a consequence, and regardless the intentions and strength of individual armed groups, their collective and cumulative presence precludes substantial changes in the social-political order. The militarization of that order, which both ensures and is an outcome of the influence of armed groups, has become an almost self-perpetuating process.

The perpetuation of militarization

The continuing proliferation of armed groups in the eastern Congo is fostered by the multi-faceted links between armed and non-armed actors. Civilians do not maintain these links only for personal gain but also in the quest for security and protection. Moreover, those who do not have the protection of armed actors are at a disadvantage compared to those who do. Other factors driving collaboration with armed groups are its normalization, which as a result has come to provoke little moral censure;¹¹⁹ as well as profound discontent with the current social-political

119 For examples, see: Judith Verweijen, 'Military business and the business of the military', *Review of African Political Economy* 40/135 (2013).

order and the government. This discontent, in turn, partly stems from the counterproductive policies adopted by Kinshasa to deal with instability in the east.

Offer and demand for protection

An important way in which armed groups and civilians are linked is via protection mechanisms, which may also link civilians to commanders of the regular army.¹²⁰ The word 'protection' should be understood here in a wider sense, encompassing not only Mafia-like protection rackets that provide physical protection against insecurity (sometimes caused by the organization itself), but also other practices. These can take the form of pressuring state services to obtain certain advantages for their clients, such as influencing the department of land affairs to grant them a plot, or asking the territorial administration to appoint them or relatives to a particular position or to award them contracts.¹²¹ Services provided in the framework of protection also include debt collection from third parties, and shielding illegal activities such as drug trafficking, banditry and smuggling.

Similar again to Mafia-like organizations, the forms of protection provided by political-military entrepreneurs in the eastern Congo cover a wide spectrum, from coercion to persuasion. In some cases, armed groups run protection rackets purely based on coercion, attacking and harassing those who do not comply. In other contexts, people solicit protection themselves. One reason for this is that such protection compensates for the absence of strong, effective, accessible and accountable state institutions and security services.¹²²

Both elites and non-elites in the east are subject to ongoing physical, political and socio-economic insecurity. Insecurity has many different sources, such as poverty, the weak enforcement of property rights,

120 The relevance of protection mechanisms in the context of the eastern Congo has been extensively analyzed in Raeymaekers, *Violent Capitalism*.

121 Raeymaekers, *Violent Capitalism*; Verweijen, 'Ambiguity of Militarization'.

122 Verweijen, 'Military business'.

predatory and unpredictable state services, rampant banditry and routine armed group activity. Moreover, conflicts abound, whether at the inter-personal, interfamilial, community or inter-community level. These conflicts can be variously related to land and its use,¹²³ debt, theft, family matters such as inheritance, intercommunity tensions and past violence or crime. They may also be related to public authority, including succession disputes between customary chiefs, conflicts between customary and political-administrative authorities, and disputes surrounding the status and boundaries of administrative entities. These multiple sources of insecurity, and the deficiencies of the formal mechanisms that are designed to address them, create a demand for protection, in particular from powerful patrons who are able to wield force and exercise influence on state agencies.¹²⁴ The existence of these protection mechanisms, however, further perpetuates insecurity, since they lead to threats and violence.

Collective action problems and normalization

Due to the weaknesses of civilian and state-led mechanisms of governance, those who do not solicit the help of armed protectors, or try to resist imposed protection, tend to be at a disadvantage compared to those who comply and collaborate with armed actors. Electoral candidates might be unable to campaign in their constituency if they do not endorse the armed group operating there, to the advantage of politicians who do. Similarly, shopkeepers refusing armed group protection may see their goods looted and delivery convoys attacked, while competitors profitably operate without such problems. Parties to intercommunal disputes, fearing recourse to violence, may also seek armed groups' protection for reasons of self-defence.

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 123 Koen Vlassenroot and Gillian Mathys, "It's not all about the land". Land disputes and conflict in the eastern Congo', PSRP Briefing Paper 14, London: Rift Valley Institute, forthcoming 2016.

124 Raeymaekers, *Violent Capitalism*; See also: Verweijen, 'Ambiguity of Militarization'.

Since not collaborating and complying with armed groups can put people at a serious disadvantage with their competitors, there are limited incentives to stop such collaboration or to refuse the demands of armed groups.¹²⁵ The situation would be quite different if, despite the risks involved, people were to decide collectively not to collaborate or comply with armed groups. The overall risks of resisting would then also diminish, since armed groups would lack civilian collaborators who spy on others in order to provide information about who is against them. Armed groups would not then, be able to play off opposing factions and groups against each other, as is presently the case—a strategy that provides them with much influence.

Collaborating and complying with armed actors, however, has become normalized through the Congo's long history of militarization, starting even before the onset of the First Congo War in 1996. Normalization lowers the threshold to solicit protection from armed actors or to resist it when it is imposed. Even if it is perceived as unjust, when it becomes inscribed in daily routines, the payment of protection fees elicits little resistance. For instance, while villagers may regret the impact on their livelihoods, the weekly donation of cassava flour per household to support armed groups provokes less contestation after the practice has continued for an extended period.¹²⁶

The normalization of protection is also evident among politicians, businesspeople and state authorities, who routinely use armed groups to further their ends. Normalization is further encouraged by impunity. It is relatively rare that politicians or businesspeople are held accountable for supporting armed groups. Moreover, impunity was institutionalized during the transition, when political-military entrepreneurs were integrated into the state system without any form of vetting.¹²⁷ Impunity at

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125 Maria Eriksson Baaz and Judith Verweijen, 'Arbiters with guns: The ambiguity of military involvement in civilian disputes in the DR Congo', *Third World Quarterly* 35/5 (2014).

126 Verweijen, 'Ambiguity of Militarization'.

127 Laura Davis, 'Power shared and justice shelved: the Democratic Republic of Congo', *The International Journal of Human Rights* 17/2 (2013).

the top has seemingly inspired those at lower levels of the social-political order to follow suit. Since the end of the transition, harnessing violence for political and economic gain is a practice that is increasingly applied by lower-level leaders, who play a limited role in national politics.¹²⁸ These leaders include customary chiefs, members of provincial parliaments, territorial administrators and businesspeople with provincial rather than national business networks. This democratization of militarized politics is both a cause and a result of the fragmented armed group landscape. Smaller-scale armed groups are easier to approach and mobilize for local elites: The more of such groups that operate, the easier it becomes for elites to solicit them.

Multi-faceted discontent with the social-political order

Congolese and international policymakers and media alike tend to portray present-day armed group mobilization in the east as criminal rather than political in nature. Armed groups are understood to no longer have any political visions or agendas, and are seen instead as predominantly motivated by material self-interests. The evidence for this reading is found in the groups' regular engagement in banditry, such as ambushes and robberies, and in illegal economic activities, including smuggling and illegal forms of exploiting natural resources.¹²⁹ For many individuals, however, being in an armed group is not merely a way to access financial benefits. Membership offers them a professional and social position, leads to new forms of loyalty and social belonging, and gives them the idea of being engaged in meaningful social activity.¹³⁰

128 Verweijen and Iguma Wakege, 'Understanding armed group proliferation'.

129 For example, see: UNEP–MONUSCO–OESG, 'Experts' Background Report on Illegal Exploitation and Trade in Natural Resources Benefitting Organized Criminal Groups and Recommendations on MONUSCO's Role in Fostering Stability and Peace in Eastern DR Congo', 15 April 2015.

130 Luca Jourdan, 'Being at war, being young: violence and youth in North Kivu', in *Conflict and Social Transformation in Eastern DR Congo*, eds. Koen Vlassenroot and Timothy Raeymaekers, Ghent: Conflict Research Group and Academia Press, 2004.

Many armed group members continue to be inspired by ideas and views of a political nature, even though these may not be coherently articulated. When asked why they fight, they often answer with politically-coloured discourse, emphasizing the need for self-defence in response to continuing 'foreign threats' or the weaknesses of government security forces.¹³¹ The discourse of autochthony also articulates broader discontent with the government and the current social-political order as a whole. It leads to the idea that the current government is irresponsible and biased against their group because it is a puppet of foreign powers such as Rwanda. In their *cahier des charges* of February 2011, PARC-FAAL lists 11 grievances against the government, including:

3. The signing by the government of agreements with neighbouring countries for the massive entry of foreign populations, without consultation of the national assembly, as if it were a conquered land
4. Consideration of foreign troops in the FARDC instead of Congolese troops (...)
6. Leaving the borders under the control of foreign troops to facilitate their massive entry into the country (the DRC)
7. The Congolese intelligence services are henceforth under the control of the well-oiled machine of Kigali¹³²

Even though they are often linked to self-interested demands, such as access to positions in the state apparatus, these politically charged discourses do not appear to be mere pretexts. The consistency and intensity with which political ideas are evoked across armed groups cannot be discounted as inspiring people to take up arms. These political ideas also explain why some armed groups have a degree of popular support. Many people share the belief that self-defence is necessary to guarantee the survival of their community against putative foreign threats. They

131 Verweijen, 'From autochthony to violence'.

132 *Mai Mai réformé, Groupe alleluia-Yakotumba*, 'Notre cahier de charge adressée à son excellence monsieur le Président de la République et Chef de l'Etat de la République Démocratique du Congo à Kinshasa', 5 February 2011, unpublished document, on file with the Rift Valley Institute.

likewise feel abandoned by the current government, living in permanent insecurity, including that perpetuated by government security forces.

Opposition to the current government is an important driver of support to armed groups, and reinforces the impact that political developments at the national level may have on armed mobilization in the east. The increasing authoritarian tendencies of the government may nourish further discontent and therefore reinforce support for armed groups, even though in recent years non-violent protest movements such as *Lutte pour le changement* (LUCHA, Struggle for Change) have become an alternative channel for efforts at regime change.¹³³ Accordingly, any delays or manipulation of the planned elections that allow the incumbent president to stay in power longer than mandated may increase the mobilizing potential of armed groups. In a declaration issued in June 2016, the *Conseil national pour la libération–Force d'autodéfense populaire* (CNL–FAP, National Liberation Council–Popular Self-Defence Force), based in the Ruzizi Plain in Uvira, recommends that the Congolese government ‘respect the country’s constitution, to allow for organizing and holding presidential elections on the foreseen date’.¹³⁴

Counterproductive policies

The presidential circle has prioritized low-cost solutions to address armed group activity and concentrated its efforts on groups constituting a direct menace to its power or which have wider geopolitical significance. Three main policy responses have been applied in varying combinations over time: first, the integration of armed groups into the national armed forces; second, military operations; and third, disarmament, demobilization and reintegration (DDR) programmes; following three broad phases: 2006–2009, 2009–2012 and 2012–present.

133 For example, see: Marta Iñiguez de Heredia, ‘LUCHA: Youth movement in Congo demands social justice’, *Pambazuka*, 30 October 2014. LUCHA is a youth movement founded in Goma, North Kivu, in June 2012.

134 *Conseil national pour la libération–Force d'autodéfense populaire. Coordination*, ‘Declaration du CNL–FAP sur l’insécurité et l’agression en cours en République Démocratique du Congo’, 10 June 2016, unpublished document, on file with the Rift Valley Institute.

The first post-transition years saw the army integration process in full swing. Although integrated command structures of the new army had been created at the start of the transition in 2003–2004, troops were only gradually mixed and integrated, with the last integrated brigade (the 18th) finally completing its mixing process and training (or *brassage*) in 2008. Leaders of armed groups who had participated in the Second Congo War but who refused army integration were thought to be simply unhappy with the process of *brassage*. It was only after the 2006 elections that several of these factions, such as the Mai-Mai Yakutumba, declared themselves as anti-government armed groups and not merely as anti-*brassage*. The government still believed that negotiating with the dissident leaders and offering them more favourable terms would suffice to convince them to integrate.¹³⁵

There were other factors that informed this policy. The fact that the newly formed army was neither operationally strong nor very reliable—riddled as it was with divided loyalties and parallel command chains—precluded effective military action against particular armed groups. During the course of 2007 and 2008, scarce military resources were channelled towards the fight against the biggest political and military threat, the CNDP. Other Congolese armed groups were rarely targeted by military operations because negotiation was still the preferred strategy.¹³⁶ This policy culminated in the 2008 Amani Conference in Goma, which brought together all of the Congolese armed groups operating in the Kivus, as well as representatives from the communities from which these groups emerged. This initiative allowed participants to present their grievances, and promised army integration and DDR packages to armed group leaders. So attractive were the rewards of participation, including the promise of ranks and positions in the army, along with enhanced political representation, that it stimulated a further proliferation of

135 Stearns, Verweijen and Eriksson Baaz, 'The National Army and Armed Groups'.

136 Eriksson Baaz and Verweijen, 'Volatility of a half-cooked bouillabaisse'.

armed groups.¹³⁷ The rise in armed groups, however, should also be seen against the government's informal policy of promoting the participation of as many groups as possible to weaken the influence of the all-dominant CNDP.¹³⁸

The integration of the CNDP and a number of other armed groups into the FARDC at the start of 2009—following a surprise rapprochement between Kinshasa and Kigali—gave rise to a new policy phase that emphasized military operations. New operational structures were created in the FARDC and Kivus-wide offensives were launched against a wide variety of armed groups. Some of these groups, which had previously coexisted with the FARDC in a more or less peaceful manner, faced serious military pressure for the first time.¹³⁹

Aside from disastrous humanitarian consequences, the *Kimia II* and *Amani Leo*¹⁴⁰ operations had other counterproductive effects, despite managing to weaken some groups such as the FDLR. What explains these limited results is that the operations were geared more towards incorporating the CNDP into the FARDC than towards effectively addressing armed groups. The operations were further plagued by logistical problems, weak command and control, and limited strategic planning. There was also little attention to the political and economic dimensions of the wider conflict dynamics. Worse still, there was significant collateral damage, in particular human rights violations and property destruction, which made people reluctant to collaborate with the FARDC.

In areas where Mai-Mai groups that drew on anti-Rwandophone discourses saw brutal operations by army units dominated by *Rwandophone*

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137 Koen Vlassenroot and Timothy Raeymaekers, 'Kivu's intractable security conundrum', *African Affairs* 108/432 (2009).

138 Stearns, Verweijen and Eriksson Baaz, 'The National Army and Armed Groups'.

139 Stearns et al., 'Mai-Mai Yakutumba'.

140 Kimia ('Silence' or 'Quiet' in Swahili) II is the name for Kivus-wide military operations that were conducted between March and December 2009. *Amani Leo* ('Peace Today' in Swahili) refers to a series of military operations conducted between January 2010 and April 2012.

ex-CNDP soldiers, the Mai-Mai's popular support was reinforced.¹⁴¹ In other areas, large armed groups such as the FDLR were displaced but the FARDC did not permanently occupy the vacated area. This allowed armed groups to return and conduct retaliatory attacks on the population, which they accused of siding with the FARDC.¹⁴² In response, local self-defence forces and smaller-scale armed groups emerged to protect civilians from such retaliation. In many cases, these new armed groups were initiated by FARDC officers deserting from the army. This process intensified during the course of an army restructuring process in 2011, which caused many FARDC units to be withdrawn from the field. The restructuring also reinforced discontent among FARDC officers with their current rank and position, nourishing the idea that particular communities, notably *Rwandophones*, were unduly privileged in the army. The consequence was another wave of desertion.¹⁴³ In sum, the military operations conducted between 2009–2012 stimulated, rather than mitigated, armed mobilization, leading to the emergence of new, smaller armed groups.

The birth of the M23 rebellion in 2012, formed by ex-CNDP soldiers and officers who had deserted, heralded another phase in policies towards armed groups. The M23's creation was a direct result of the problematic 2009 integration of the CNDP into the FARDC, and fully exposed the limitations of army integration. The government was unwilling to once again integrate ex-CNDP officers and soldiers into the army and formally abandoned the policy of collective, negotiated army integration during 2012. Now, while members of armed groups wishing to lay down their arms do still have the option to join the FARDC, their integration

141 International Crisis Group, 'No Stability in Kivu'; Eriksson Baaz and Verweijen, 'Volatility of a half-cooked bouillabaisse'.

142 Ellie Kemp and Martin Hartberg, 'Waking the devil. The impact of forced disarmament on civilians in the Kivus', Oxford: Oxfam GB for Oxfam International, July 2009; Human Rights Watch, "'You Will Be Punished.'" Attacks on Civilians in Eastern Congo', New York: Human Rights Watch, 2009.

143 Stearns et al. 'Raia Mutomboki. The Flawed Peace Process in the DRC and the Birth of an Armed Franchise', Usalama Project, London: Rift Valley Institute, 2013.

occurs on an individual basis and after training at military bases outside the Kivus.

Individual combatants can also join the newly minted DDR programme, operational since late 2015 but facing many difficulties.¹⁴⁴ The army is engaged in a confusing mixture of military operations and awareness raising for the DDR programme, simultaneously trying to coerce and persuade armed groups to lay down their arms. The resulting distrust towards DDR initiatives is compounded by the growing number of armed group leaders deliberately killed by the army, which makes armed group leaders reluctant to respond to the FARDC's calls for negotiations. The programme is further undermined by poor living conditions in DDR camps, and demobilized combatants' limited livelihood prospects (reintegration programmes have been slow to materialize).

Overall, the efforts of the government to deal with armed groups in the east have not only had limited effects but they also seem to have stimulated armed mobilization. They have created skewed incentive structures and aggravated local conflict dynamics. The ensuing insecurity drives a demand for protection that reinforces the position of armed groups, who then hamper the functioning and further development of the very civilian and state-led mechanisms and institutions that could provide security. Another vicious cycle relates to the interplay between, on the one hand, dislike for the current social-political order, and on the other hand, Kinshasa's policies towards armed groups, which only reinforce this discontent. For both the Congolese government and its international supporters, the overall negative effects of previous policies raise questions about what more effective measures could look like and how they might be implemented without generating unintended consequences.

144 Christoph Vogel and Josaphat Musamba, 'Recycling rebels? Demobilization in the Congo', PSRP Briefing Paper 11, London: Rift Valley Institute, March 2016.

5. Conclusions and policy considerations

The eastern Congo has been mired in ongoing violent conflict for more than two decades. The adoption of a peace accord in 2003, which introduced a new political settlement at the national level, has not prevented armed groups from continuing to play a crucial role in sub-national political settlements in the east. Initially, the ongoing violence in the east was closely related to the competition for power in the national political arena. Ex-belligerents sought to carve out spheres of influence in state institutions under a power-sharing agreement. After the general elections that ended the transition period in 2006, however, the link between the role of armed groups in sub-national political settlements in the east and the national political settlement weakened, with the exception of groups linked to regional elite networks, such as the CNDP.

Yet, the national political settlement continues to shape the presence and influence of armed groups in the east. Power has gradually become concentrated in the president and his entourage, who are primarily interested in ensuring their own survival, and not in strengthening the institutions of state. The presidential circle has reproduced patterns of selective governance that go back to the colonial era, taking only limited interest in areas and issues that are not critical to its hold on power. Consequently, while investing significant resources in addressing armed groups that pose a direct threat to its power, notably those backed by neighbours, it has undertaken limited initiatives to control smaller-scale armed groups operating in remote rural areas. It is the latter type of armed group that currently prevails.

The presidential circle has generally preferred low-cost options—whether facing large or small armed groups—such as co-optation via army integration or military operations with limited means. These initiatives have been largely counterproductive, and feed further discontent with the current social-political order and the government. Military operations have deepened insecurity and led to the emergence of smaller-scale armed groups. Co-opting political-military entrepreneurs has encouraged

impunity for violence and abuses of power, inspired lower-level and second-tier leaders to engage in political-military entrepreneurialism, and created antagonism among leaders and groups not receiving equally favourable treatment. Both political and armed mobilization continue to have salient ethno-regional dimensions. Decisions to include particular leaders and groups therefore often lead to perceptions of exclusion and discrimination among others.

For the same reason, the increasingly exclusionary character of the national political settlement has fostered profound discontent. The presidential advisors and other key figures that make up President Joseph Kabila's inner circle are identified with a particular and limited set of the Congo's regions. Factions from the other parts of the country feel excluded, especially since the political bodies in which they are represented (including the government) have limited influence when compared to the presidential circle. The dwindling legitimacy of the current power holders creates a dangerous situation. It may invite those who seek a different social-political order to throw their weight behind armed groups, especially when peaceful means to channel political competition are restricted.

While armed groups capitalize on discontent with the current social-political order, it seems doubtful these groups—especially the present myriad of small-scale groups—could profoundly change that order, even at the local level. Although some of these groups present themselves and are partly seen as governance actors with a measure of legitimacy, this role is often based on perceptions that they defend specific ethnic communities, which fuel inter-community conflict. Regardless of their own behaviour towards civilian populations, the very presence of armed groups creates insecurity because it leads to armed confrontations with the government security forces and other armed groups. Many groups do, in fact, engage in predatory and abusive practices towards civilians, and are therefore also a direct source of insecurity.

The current constellation of armed groups is not transformative. Not only do their own practices and discourses strongly resemble those of Congolese state agents (notably the armed forces) but they primarily

seek inclusion in the state apparatus and political settlement and not a profound overhaul of the social-political order. Furthermore, because these groups are embedded in multi-layered social networks that straddle state and non-state spheres, their very presence contributes to the reproduction of the current state-dominated order. Numerous state actors who have vested interests in the current order derive their own power in part from liaising with non-state armed groups. This raises the question to what extent formally integrating these groups into the political settlement would contribute to stabilization.

Inclusion or exclusion

The premise of the power-sharing agreement that formally ended the Second Congo War in 2003 was that integrating armed groups and their wider networks into state institutions would entice them to permanently demobilize. This did not happen in the eastern Congo for a complex set of reasons, one of which was the question of representation. Many of the armed groups had weak internal cohesion and nascent political structures, which prevented the political and military leadership from fully enjoying the support of all mid-level commanders and the rank and file.¹⁴⁵ Similarly, the civilian communities from which armed groups drew members and support often did not believe these groups were representing their interests at the negotiating table or in state institutions. Integrating these groups therefore did little to address community grievances or solve local conflicts.

The questions of inclusion and representation continue to be relevant. It cannot be assumed that armed groups are representative of the communities from which they are recruited, or that they necessarily voice their legitimate grievances. Not only have many armed groups imposed themselves on and committed violence against the very communities they claim to protect and represent, they also tend to inflate and manipulate the grievances expressed by these communities to their own

¹⁴⁵ Stearns, Verweijen and Eriksson Baaz, 'The National Army and Armed Groups'.

ends.¹⁴⁶ An analysis of the *cahiers des charges* that armed groups issue suggests that many of the political demands presented as conditions for demobilization cannot be implemented. Some armed group demands are xenophobic and discriminatory. Mai-Mai groups have, for example, demanded the removal of all *Rwandophone* army personnel from their areas. Implementing this would set a dangerous precedent for ethnic segregation within the army.

Another impractical demand—especially from small armed groups—is the recognition of their political branch as a political party. Registration as a political party in the Congo requires evidence of membership in all of the country's provinces, which is politically and financially impossible to achieve for the majority of smaller groups. There are, in any case, already hundreds of political parties: 417 had registered at the time of the 2011 elections.¹⁴⁷ The existence of so many parties has contributed to the fragmentation of the political landscape, including the opposition. This hampers the transformation of the current order, as no faction is sufficiently powerful to counterbalance the presidential patronage network or push through reforms.

Demands for better infrastructure and public services in their area of origins, such as roads, healthcare structures and access to water also figure prominently in the *cahiers des charges* issued by armed groups. It is unlikely, however, that the government would commit funds to such efforts, given the current situation of selective governance and limited state revenues. Honouring such demands—in a context of rampant and pervasive poverty—risks incentivizing rural populations to support the mobilization of armed groups to receive development, such as roads, hospitals and electricity, in their area.

The recognition of armed groups as political rather than criminal actors does not necessarily imply that including them in state institutions and responding to their demands is the right solution for their demobilization. Armed groups and their political representatives should

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146 Eriksson Baaz and Verweijen, 'Volatility of a half-cooked bouillabaisse'.

147 The Carter Center, 'Presidential and Legislative Elections'.

perhaps be excluded rather than included in decision-making processes and non-violent actors rewarded and recognized instead. Empowering peaceful actors could help end entrenched impunity, and could offer an alternative to the cycle of insecurity-generating protection mechanisms to overcome insecurity. Civilian inclusion may also encourage currently inhibited collective civilian resistance to armed actors.

Long term or short term

While desirable in the long term, empowering civilian leaders in the short term is difficult—how would they withstand the threats and intimidations of armed actors? A similar dilemma arises in relation to other aspects of demilitarization. Addressing the underlying causes of armed mobilization requires multi-pronged efforts that focus on issues such as reducing physical and socio-economic insecurity, strengthening civilian governance mechanisms and resolving local conflicts around territory, local authority and identity. Such efforts, however, will do little to disarm existing armed groups, which still requires direct engagement with those groups.

The very presence of armed groups can hinder initiatives to promote stabilization. A good example is programmes aimed at dealing with local conflicts. Although conflicts can be defused via reconciliation efforts and conflict resolution mechanisms, such as local peace committees, ongoing armed group activity may undermine these initiatives and reignite conflict dynamics. Armed groups may prevent the implementation of an agreed settlement or sow division by giving the impression that they committed acts of violence on behalf of one of the parties to a conflict.

At the same time, a sole focus on demobilizing existing armed groups without addressing the longer-term drivers of armed mobilization is not sustainable. Demobilized armed groups will simply be replaced by others. Long-term drivers of conflict are also affected by the nature of the national political settlement. While an exclusive political settlement dominated by a presidential patronage network with a limited regional base and authoritarian tendencies may be relatively stable, lessons from the Mobutu regime and the current Kabila regime show that these

political orders carry the seeds of future instability. Indeed, the current national political settlement has served to entrench instability in one part of the country, and the presidential patronage network has shown limited interest in ending armed group activity and addressing other drivers of instability.

The presidential circle's limited incentives to reduce instability in the east pose a dilemma to international donors. The programmes the latter design to address the direct and indirect drivers of armed mobilization and conflict dynamics may ultimately further reduce these incentives. The aid industry in the eastern Congo has long been a resource for the presidential circle and its wider networks, which draw on it for the purposes of patronage. At the same time, the influx of foreign aid partly absolves the government from the need to invest more in public service provision in the east. Lessons from other areas of protracted violent conflict demonstrate that donors are not external, but integral, to the political settlements they help fund and facilitate.¹⁴⁸ International donor interventions aimed at stabilization that do not reflect on their own impact on the political settlement—most notably how these programmes affect elite incentive structures—are unlikely to produce the desired effects.

Carrots or sticks

The choice to either entice political-military entrepreneurs to demobilize by granting them impunity and other benefits, or to pressurize them through military operations and prosecutions is a difficult one—until now, both approaches have had limited effects. One reason is that the workings of the Congolese state apparatus often lead to the inadequate implementation of these measures. A good example is the nature of the judiciary. While on paper, prosecutions of political-military entrepreneurs seem to be a good idea, the current state of the Congo's judicial system might undermine the possible beneficial effects. The government is likely to use accusations of political support to armed groups to

¹⁴⁸ Tobias Hagmann, 'Stabilization, Extraversion and Political Settlements in Somalia', PSRP, London: Rift Valley Institute, 2016.

crack down on opposition figures, as has already occurred in the past.¹⁴⁹ Because of this context, any measures that are proposed must always be assessed in light of the current political settlement and how the nature of this settlement will affect implementation.

Circumventing the state apparatus, dominated by interests vested in the current order, could help avoid some of these difficulties. Excluding state actors, however, is both dangerous and could undermine the sustainability of initiatives. Their exclusion reduces the possibilities for transforming the nature of governance in the long term, which is an important factor sustaining instability in the east. Exclusion and punitive measures, such as sanctions, can also render government actors increasingly hostile and drive them to take more intransigent positions.

The question of persuasion and punishment, and how to balance these, also applies to political-military entrepreneurs. While punishment or pressure can sometimes be effective, merely chastising political-military entrepreneurs risks further isolating and radicalizing them. Behavioural change can also be achieved through constructive dialogue and positive incentives, such as community appreciation and spiritual leaders' encouragement. The current climate of profiteering and impunity, however, does not bode well for dialogue and positive incentives. The problem of armed mobilization in the eastern Congo is so complex and deeply engrained that only a variety of initiatives and policies—both carrots and sticks, bottom-up and top-down approaches, and short and long-term measures—is likely to trigger any lasting change. Getting that balance right should be based on careful analysis of political settlements, both at the national level and at sub-national levels in the east, and how they interrelate.

149 An example is the arrest in 2012 of Dieudonné Bakungu Mithondeke, an opposition politician in North Kivu who was accused of maintaining links to an armed group. See: 'RDC: quatre morts lors de l'arrestation du député d'opposition Dieudonné Bakungu', *MaliJet*, 3 February 2012.

Glossary of acronyms, words and phrases

AFDL	<i>Alliances des forces démocratiques pour la libération du Congo-Zaire</i> (Alliance of Democratic Forces for the Liberation of Congo-Zaire)
Amani Leo	‘Peace Today’ in Swahili, name for Kivus-wide military operations against armed groups held between January 2010 and April 2012
<i>brassage</i>	process of mixing fighters of different former warring factions into integrated units
<i>cahier des charges</i>	list of political demands from an armed group
CCL	<i>Coalition des congolais pour la libération</i> (Coalition of Congolese for Liberation)
CNDP	<i>Congrès national pour la défense du peuple</i> (National Congress for the Defence of the People)
CNL-FAP	<i>Conseil national pour la libération-Force d'autodéfense populaire</i> (National Liberation Council-Popular Self-Defence Force)
DDR	disarmament, demobilization and reintegration
FARDC	<i>Forces armées de la République démocratique du Congo</i> (Armed Forces of the Democratic Republic of the Congo)
FDLR	<i>Forces démocratiques de libération du Rwanda</i> (Democratic Forces for the Liberation of Rwanda)
GDP	gross domestic product
Gécamines	<i>Société générale des carrières et des mines</i> (General Society of Quarries and Mines)
Kimia II	‘Silence/Quiet’ in Swahili, name for Kivus-wide military operations against armed groups held between March-December 2009
<i>Lingalaphones</i>	Lingala-speaking people
LUCHA	<i>Lutte pour le changement</i> (Struggle for Change)

M23	<i>Mouvement du 23 mars</i> (March 23 Movement)
MONUSCO	<i>Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo</i> (United Nations Organization Stabilization Mission in the Democratic Republic of the Congo)
NDC	Nduma Defence of Congo
NGO	non-governmental organization
PARC-FAAL	<i>Parti pour l' action et la reconstruction du Congo–Forces armées alleluja</i> (Party for Action and the Reconstruction of Congo–Alleluja Armed Forces)
PPRD	<i>Parti du peuple pour la reconstruction et la démocratie</i> (People's Party for Reconstruction and Democracy)
<i>rapportage</i>	'returning', system of channelling resources extracted from citizens to higher echelons of state agencies
RCD	<i>Rassemblement congolais pour la démocratie</i> (Congolese Rally for Democracy)
RCD/K–ML	<i>Rassemblement congolais pour la démocratie/Kisangani–Mouvement de libération</i> (Congolese Rally for Democracy/Kisangani–Liberation Movement)
RUD-Urunana	<i>Ralliement pour l'unité et la démocratie</i> (RUD, Rally for Unity and Democracy)–Urunana
<i>Rwandophones</i>	Kinyarwanda-speaking people

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Selected RVI Usalama publications



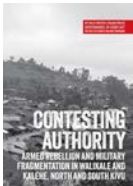
Un microcosme de militarisation: Conflit, gouvernance et mobilisation armée en territoire d'Uvira

Ce rapport analyse la militarisation en territoire d'Uvira et la manière dont celle-ci façonne les rapports entre conflits locaux, gouvernance et mobilisation armée.



Les femmes, le conflit et l'autorité publique au Congo

Ce briefing examine la question de la participation et de l'implication des femmes dans la gouvernance locale et l'exercice de l'autorité publique.



Contesting Authority: Armed rebellion and military fragmentation in Walikale and Kalehe, North and South Kivu

This report analyses the involvement of armed groups in public life in the territories of Kalehe and Walikale, which has led to further militarization and fragmentation of public space and social interactions.



Nord-Kivu: Contexte historique du conflit dans la province du Nord-Kivu, à l'est du Congo

Ce rapport résume le contexte historique de la profusion des groupes armés qui ont surgit dans les deux dernières décennies dans la province du Nord-Kivu en RDC.



Recycling Rebels: Demobilization in the Congo

This briefing analyses why and how previous DDR processes have failed, and provides a sketch of the current state of affairs and future prospects for demobilization.



South Kivu: Identity, territory and power in the eastern Congo

This report outlines the historical dynamics behind the armed movements in South Kivu, focusing on the period before and leading up to the First Congo War.



Comprendre la prolifération des groupes armés dans l'est du Congo

Ce briefing examine les principaux mécanismes qui sous-tendent la prolifération des groupes armés dans l'est du Congo pour venir à bout de cette problématique.



The national army and armed groups in the eastern Congo: Untangling the Gordian knot of insecurity

The final report of phase I of the Usalama Project presents conclusions from 18 months of field research on the national army and armed groups in the eastern DRC focussing on armed mobilization in North and South Kivu, the FARDC and a critical review of past and current efforts in the field of demobilization and army reform.



The Ebb and Flow of Stabilization in the Congo

This briefing examines the mixed approach of MONUSCO towards the implementation of the I4S and suggests that it would be appropriate for the UN mission and its partners to continue to advance this framework.

SINCE THE 1990S, THE EASTERN PART OF THE DRC,
PARTICULARLY THE PROVINCES OF THE FORMER KIVU,
HAS EXPERIENCED AN ALARMING PROLIFERATION
OF MILITIAS, WHICH OVER THE YEARS MUTATED
INTO INFORMAL AND ELUSIVE ARMIES. THROUGH
ITS RESEARCH AND PUBLICATIONS, RVI'S USALAMA
PROJECT CONTRIBUTES TO THROW AN OBJECTIVE
LIGHT ON THESE SHADOW ARMIES, PROVIDING
VALUABLE TOOLS FOR ANALYSIS AND INVALUABLE
LEVERS TO ALL THOSE WHO ARE SUPPOSED TO END
THIS PHENOMENON THAT CONTINUES TO MAKE
THE EASTERN DRC THE SOFT UNDERBELLY OF THIS
ENORMOUS COUNTRY.

—ONESPHORE SEMATUMBA, DIRECTOR OF
INFORMATION AND ADVOCACY, POLE INSTITUTE, GOMA



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